

Capt. George H. Jamerson, Second Infantry, to be major from May 1, 1916, vice Maj. Edson A. Lewis, Sixth Infantry, detached from his proper command.

First Lieut. Wallace McNamara, Twelfth Infantry, to be captain from May 1, 1916, vice Capt. George H. Jamerson, Second Infantry, promoted.

Second Lieut. William B. Loughborough, Third Infantry, to be first lieutenant from May 1, 1916, vice First Lieut. Wallace McNamara, Twelfth Infantry, promoted.

POSTMASTER.

NEW JERSEY.

John Y. Bellis to be postmaster at Clinton, N. J., in place of Frank A. Esty. Incumbent's commission expired March 13, 1916.

CONFIRMATION.

Executive nomination confirmed by the Senate May 5, 1916.

POSTMASTER.

TENNESSEE.

John M. Jones, Newport.

REJECTION.

Executive nomination rejected by the Senate May 5, 1916.

POSTMASTER.

Henry F. Pembleton to be postmaster at Central Valley, N. Y.

HOUSE OF REPRESENTATIVES.

FRIDAY, May 5, 1916.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou, who art ever near to us and always ready to help those who seek Thee in spirit and in truth, we draw near to Thee that by the touch of Thy spirit we may be purified, ennobled, and made strong for the duties which wait upon us; that with high ideals, pure motives, and earnest endeavors we may hallow Thy name in thought and purpose, and feel the thrill of an approving conscience when the night shall close upon us and bring quiet and peaceful rest to our souls. In His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

DEPOSIT OF ASSETS OF INSOLVENT NATIONAL BANKS.

Mr. ROGERS rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. ROGERS. Mr. Speaker, I rise to ask that the bill H. R. 3575, which is on the Speaker's table, be laid before the House. It is a House bill with a Senate amendment.

The SPEAKER. The Clerk will report it.

The Clerk read the title of the bill, as follows:

A bill (H. R. 3575) to amend section 5234 of the Revised Statutes of the United States so as to permit the Comptroller of the Currency to deposit upon interest the assets of insolvent national banks in other national banks of the same or of an adjacent city or town.

The SPEAKER. The Clerk will report the Senate amendment.

The Senate amendment was read.

Mr. ROGERS. Mr. Speaker, I called this bill up on Tuesday, I think it was, and the gentleman from Tennessee [Mr. GARRETT] asked that it go over for the present. Since that time I have consulted the chairman of the Committee on Banking and Currency [Mr. GLASS] and the gentleman from New York [Mr. PLATT], in charge of the bill, and they both authorize me to say they have no objection to the Senate amendment, which is purely a formal one.

I move, Mr. Speaker, that the House concur in the Senate amendment.

The SPEAKER. The gentleman from Massachusetts moves that the House concur in the Senate amendment. Without objection, the Senate amendment is concurred in.

Mr. WINGO. Reserving the right to object, Mr. Speaker, I just came from a meeting of the Committee on Banking and Currency, and I have not a clear idea of what the bill is. As I understand it, it is the Rogers bill, with a Senate amendment?

Mr. ROGERS. That is true.

Mr. WINGO. May I inquire what the Senate amendment is?

The SPEAKER. The Clerk will report it again.

The Senate amendment was again read.

Mr. WINGO. That is simply a formal amendment. I have no objection.

The SPEAKER. The question is on agreeing to the motion to concur in the Senate amendment.

The motion was agreed to.

On motion of Mr. ROGERS, a motion to reconsider the vote whereby the Senate amendment was concurred in was laid on the table.

HOOR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from North Carolina [Mr. KITCHIN] asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

There was no objection.

OREGON AND CALIFORNIA LAND GRANTS.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that the bill H. R. 14864, the Oregon-California land-grant bill, be given a privileged status.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the Oregon-California land-grant bill, H. R. 14864, be given a privileged status.

Mr. FITZGERALD. Mr. Speaker, I propose to object to such requests until we have our appropriation bills disposed of. We have been waiting to dispose of them for some time.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] objects.

Mr. FERRIS. Will the gentleman withhold his objection a moment until I can make a statement?

Mr. FITZGERALD. I will withhold my objection.

Mr. FERRIS. On December 9 the Supreme Court of the United States rendered a decision placing up to Congress a proposition to deal with 2,300,000 acres of land, roughly estimated at about \$50,000,000. Your committee has been at work upon it.

The Supreme Court decision gives Congress six months in which to act upon recouping about \$50,000,000 worth of railroad land grants in Oregon. Your Committee on Public Lands has been at work on it and has devoted to it as much time as we could, and we secured reports on it from the Department of Justice and the Department of the Interior and the Department of Agriculture.

This six-months' period runs out on June 9, and if I may just read what the Department of Justice says, in a word, about the necessity of Congress acting, I think gentlemen will be convinced that some action must be taken soon. I will read from the Supreme Court decision and also from the official report of the Department of Justice of April 13, 1916. After reciting the six-months' provision in which Congress may act, this paragraph occurs:

The court also decided that:

"If Congress does not make such provision, the defendants may apply to the district court within a reasonable time, not less than six months, from the entry of the decree herein, for a modification of so much of the injunction herein ordered as enjoins any disposition of the land and timber until Congress shall act, and the court, in its discretion, may modify the decree accordingly." (Id., p. 439.)

If, therefore, Congress does not act in the premises, that part of the judgment of the Supreme Court which forbids the railroad company to make any disposition of the land and timber thereon may be set aside by the lower court upon application of the company. The application will undoubtedly be made in due time unless Congress acts, and in all probability the court would grant it and set aside the injunction to that extent. If it did, the railroad company would be free to sell the rest of the lands in accordance with the provisions of the granting acts, at a price not to exceed \$2.50 an acre, etc. If sold at this price, the 2,300,000 acres would bring not to exceed \$5,750,000, albeit, according to a stipulation of the parties in the suit just referred to, they are worth upward of thirty millions, and many place their value at fifty millions.

If the lands are sold for \$5,750,000, the railroad company will take all the proceeds and the Government will lose at least \$25,000,000. It is, therefore, of the first importance that Congress should act, and provide for the disposition of these lands and the timber thereon.

The decision of the court contains this extract:

This, then, being the situation resulting from conditions now existing, incident, it may be, to the prolonged disregard of the covenants by the railroad company, the lands invite now more to speculation than to settlement, and we think, therefore, that the railroad company should not only be enjoined from sales in violation of the covenants, but enjoined from any disposition of them whatever or of the timber thereon, and from cutting or authorizing the cutting or removal of any of the timber thereon, until Congress shall have a reasonable opportunity to provide by legislation for their disposition in accordance with such policy as it may deem fitting under the circumstances, and at the same time secure to the defendants all the value the granting acts conferred upon the railroads.

If Congress does not make such provision, the defendants may apply to the district court, within a reasonable time, not less than six months from the entry of the decree herein, for a modification of so much of the injunction herein ordered as enjoins any disposition of the lands

and timber until Congress shall act, and the court, in its discretion, may modify the decree accordingly.

Decree reversed and cause remanded to the district court for further proceedings in accordance with this opinion.

I may add that the committee provides in section 1 of that bill for complete resumption of title to these lands and the disposition of them as well.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. Let me conclude in just a word more. I may add that I have taken this matter up with the Speaker and with the majority leader [Mr. KITCHIN] and with the minority leader [Mr. MANN], and I think each one of them understands the necessity of early action. And I may also add to that that the committee has no disposition to interfere with the consideration of appropriation bills or other more important measures.

The SPEAKER. May the Chair ask the gentleman one question?

Mr. FERRIS. Certainly.

The SPEAKER. Was not this bill treated as a privileged bill when it was first brought in here?

Mr. FERRIS. No; it was; and it was reported from the floor. I rather think it is privileged. The rule provides that such matters coming from the Committee on the Public Lands are privileged. It will not take over two or three hours. There is no opposition to it.

Mr. FITZGERALD. When does this six-months' period expire?

Mr. FERRIS. In June.

Mr. FITZGERALD. I thought it was in July.

Mr. FERRIS. No; in June. The Senate has got to act upon it before the six-months' period is up. The gentleman from Wisconsin [Mr. LENROOT] understands the necessity of it. He is acquainted with it.

Mr. MONDELL. I do not think there is any question about its being a privileged bill.

Mr. FITZGERALD. Mr. Speaker, I will withdraw my objection.

Mr. FERRIS. The gentleman from New York withdraws his objection.

Mr. MANN. Reserving the right to object, Mr. Speaker, when does the gentleman expect to call up the bill?

Mr. FERRIS. That rests with the Speaker. I think we can tuck this in between other legislation and dispose of it in two hours, perhaps, in a lull between appropriation bills. I think the House is equally interested in it with the committee. There is nothing selfish about our wanting to take it up speedily. It seems to us a necessity. The committee is anxious to discharge its full duty in the premises.

Mr. MANN. The gentleman does not expect to call it up this week?

Mr. FERRIS. I hope to do it at the first opportunity.

Mr. MANN. I will say frankly to the gentleman that some of the parties interested in the bill do not wish it to come up this week.

Mr. FERRIS. The committee are not at all headstrong about it. We are merely trying to proceed as rapidly as we can.

Mr. MANN. If the gentleman will say he does not intend to call it up this week, I think I shall not object.

Mr. FERRIS. All right; we will not call it up this week.

Mr. MANN. I will take the gentleman's statement, although on January 29 we gave consent to make privileged the Porto Rico bill, and it was expressly stated then by the gentleman making the request and by the Speaker in putting the request in the first instance, that the bill should not interfere with the consideration of appropriation bills.

The SPEAKER. This will not interfere with that now, even if it is given a privileged status.

Mr. MANN. Yet we find that that bill is interfering with two appropriation bills on the calendar and with another ready to be reported. Instead of proceeding with the consideration of appropriation bills, they have been set aside to go ahead with the Porto Rico bill, in violation of the statement which was made when the Porto Rican bill was made privileged.

The SPEAKER. The Chair will not recognize the gentleman from Oklahoma [Mr. FERRIS] or anybody else with a bill which interferes in any way with the appropriation bills.

Mr. MANN. The Porto Rico bill is expected to interfere.

The SPEAKER. But that was by common consent.

Mr. MANN. Oh, no; not at all. There was no common consent about it. That is the reason I am calling the attention of the House to this. When the Speaker first stated the request on January 29, he stated that it was not to interfere with appropriation bills. Yet with two appropriation bills on the calendar we are interfering with their consideration.

Mr. KITCHIN. Mr. Speaker, I ought to remind the gentleman from Illinois that before we took up the Porto Rican bill the other day I spoke to him about it, and it was decided to take it up after the Agricultural bill was finished.

Mr. MANN. Oh, yes; I have no objection to taking it up at any time when there is no appropriation bill ready to be presented. The other day the gentleman from Virginia [Mr. FLOOB], in charge of the Diplomatic bill, did not happen to be here, and we had an hour or two which could be used in that way. I am perfectly willing at any odd time to run in a thing of this sort; but I consented with the understanding that it would not interfere with the consideration of appropriation bills, which it is now doing.

Mr. KITCHIN. I do not think it is interfering with them.

Mr. FITZGERALD. There should not be any misunderstanding. We were ready to proceed with appropriation bills. We had two bills ready from the Committee on Appropriations, and we could not get in; that is all. We were notified that we could not proceed with them.

Mr. GARRETT. Of course there should not be any misunderstanding.

Mr. FITZGERALD. I do not know what the arrangement is. I am just stating what the facts are.

Mr. GARRETT. The order which was adopted, and which is on the calendar, was that the Porto Rican bill should be made privileged. That is the official order.

Mr. FITZGERALD. That may be the official order—

The SPEAKER. The Chair understands the gentleman from Oklahoma to withdraw his request anyway.

Mr. FERRIS. No; there was no objection to it.

Mr. MANN. I make no objection.

Mr. FITZGERALD. I withdrew the objection because of the peculiar conditions affecting this bill, but I will object to any other request which interferes with the consideration of appropriation bills.

The SPEAKER. Without objection, it is made privileged.

FOREST HOMESTEADS.

Mr. GANDY. Mr. Speaker, I ask unanimous consent to vacate the proceedings on the passage of the forest homestead bill (H. R. 10668) which passed yesterday, and to return to the amendment stage, for the purpose of making a correction in the bill that was attempted to be made yesterday, but the gentleman from Illinois [Mr. MANN] asked me to wait until a little later time.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read the title of the bill (H. R. 10668) to repeal section 4 of the act of Congress approved June 11, 1906, known as the forest homestead act, and for other purposes.

The SPEAKER. The gentleman from South Dakota [Mr. GANDY] asks unanimous consent to vacate all the proceedings touching this bill back to the amendment stage. Is there objection?

There was no objection.

The SPEAKER. Now, what is the gentleman's request?

Mr. GANDY. I ask unanimous consent that the word "forest," in line 2 of page 2, be changed to the plural "forests." There are two forests involved in this case.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 2, in line 2, change the word "forest" to "forests."

The SPEAKER. Without objection, the amendment will be agreed to, and without objection the bill will be engrossed and read a third time and passed; and without objection, a motion to reconsider and to lay that motion on the table will be agreed to.

There was no objection.

PRINT OF THE PHILIPPINE BILL.

Mr. JONES. Mr. Speaker, I ask unanimous consent that the Philippine bill, which passed the House on Monday last, be ordered to be printed. There is no print of the bill, and there have been a great many requests for it.

The SPEAKER. The gentleman asks that the Philippine bill be printed. Is there objection?

Mr. TOWNER. As it passed the House?

Mr. JONES. As it passed the House.

The SPEAKER. Of course. Is there objection?

There was no objection.

CIVIL GOVERNMENT FOR PORTO RICO.

On motion of Mr. JONES, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 9533) to provide a civil government for Porto Rico, and for other purposes, with Mr. FOSTER in the chair.

Mr. TOWNER. Mr. Chairman, Porto Rico has an area of 3,606 square miles, or about 2,300,000 acres. It is somewhat larger than the State of Delaware, but is not so large as Connecticut. In conformation the island is mountainous, in its central portions reaching elevations of over 3,500 feet. Interspersed are fertile valleys, with low-lying plains along the coasts. It is the most lovely of all the beautiful cluster of islands washed by the waters of the Caribbean Sea. Climatically it is ideal. The Government records, running for more than 10 years, show a mean annual temperature of 76°. During the coolest month of winter the average is 73°, and during the warmest month of summer it is 79°. There is abundant moisture, but there is no wet and dry season, such as is found in other parts of the Tropics. The trade winds which prevail, combined with the high elevation, make it exceptionally healthful and delightful throughout the year.

Porto Rico has a most interesting and romantic history. It was discovered by Columbus in 1493 in his second voyage to America. Columbus was accompanied on this voyage by Ponce de Leon, on his way to Santo Domingo. Charmed by the beauty of the island and drawn by the tales of the natives of stores of gold in the interior, de Leon soon returned to explore the island and effect a settlement. Entering what is now the harbor of San Juan he named it Puerto Rico, or the gate of riches. A permanent Spanish settlement was soon effected. After many adventures Ponce de Leon was superseded by another governor, and started on his famous expedition in quest of the fabled fountain of perpetual youth. He did not find the fountain, but he discovered Florida, and added it to the possessions of the King of Spain.

For more than 400 years the island remained a colony of Spain. During nearly all these years Porto Rico was at peace, for it was the most pacific of all Spain's possessions in the western world. It was cruelly exploited, however, and Spain's corrupt and rapacious governors kept the island poor. Their object was personal gain rather than the betterment of the people. They were despoilers, not rulers. Against this tyranny and injustice the spirit of revolt was slowly rising, and when in 1898 Gen. Miles landed an army upon its shores the Americans were welcomed as friends rather than invaders. No man not in the pay of Spain lifted an arm to oppose the American occupancy.

In Gen. Miles's first proclamation to the islanders he said:

We have come to bestow upon you the immunities and blessings of the liberal institutions of our Government.

How well that promise has been kept, the history of American control of the island during the last 18 years bears eloquent testimony.

At the commencement of the American occupancy the population of Porto Rico was about 900,000. It now is about 1,250,000; a rate of increase considerably larger than that of the continental United States. Nearly three-fourths of the population are white, mostly of Spanish descent. Two-thirds are engaged in agricultural pursuits. They are a peaceable, tractable, intelligent people, eager for education, enlightenment, and civic betterment. Since their incorporation into our territory they have never given this country the least trouble, nor have they given the governors whom we have sent to them the slightest apprehension or even embarrassment.

The educational development of the island during the American occupancy has been remarkable when it is considered that there was no general public-school system in existence at its commencement, and that now there is a complete system in operation, with over 168,000 pupils enrolled, with 2,500 teachers regularly employed, with 1,500 schoolhouses already built, and an annual expenditure of \$2,000,000 in their support. The amount available is inadequate to make the progress desired, but the people willingly tax themselves to their utmost capacity in order to lift the cloud of illiteracy that for centuries has hung over the island. With an anticipated increase of revenue it is reasonable to expect that the time is not distant when every child on the island may receive the blessings of a public-school education as freely and with at least as much appreciation and gratitude as do the children of the United States.

The Spanish language is the ancestral and common language of the people. It is manifest that because of their political relations with the United States a knowledge of English is essential. Instead, however, of trying to force an abandonment of the use of the Spanish language and the substitution of English, from the earliest days of the American occupancy the purpose has been to establish a bilingual system which would insure the conservation of Spanish and the acquisition of English. As Dr. Brumbaugh, the American commissioner, who did so much

wisely to build the foundations of their educational system, said:

We want the children to have and use both languages, Spanish and English. * * * It will be a hindrance and not a help to deprive these people of an opportunity to acquire both languages.

The present commissioner, in his last report, pertinently suggests that the people of Porto Rico, situated midway between English North America and Spanish South America, have an unusual opportunity to acquire the two great American languages and thus be enabled to take an active participation in the interchange of ideas and products between the two American continents.

There is absolute freedom of worship in Porto Rico, and while Catholicism is the prevalent religion, most of the Protestant churches are represented in the island.

There are a large number of newspapers and magazines published in the island which are well patronized by the people.

The courts are well established and hold the confidence of the people. Disorder and crime are well under control, and the lives and property of the people are as well protected in Porto Rico as in the United States.

In nothing else has Porto Rico so rapidly Americanized itself as in its politics. Almost every intelligent Porto Rican is a politician. Parties with complete organizations and definite policies have been formed. Party organs have been established and party leaders are recognized and followed. At the last election, held in 1914, the total number of votes cast was 204,233. Of these the Unionist Party cast 107,519 and the Republican Party cast 82,574. The rest were scattered. As might be expected the issues which divide the parties are largely concerned with the ultimate destiny of the island and its relation to the United States. The Republican Party looks to closer relations with this country, and ultimate statehood. The Unionist Party aspired to independence. However, it can probably be said that now there is very little expectation or desire in the island for independence. The Unionist Party, largely in the majority, and hitherto representing especially the independence idea, on October 24, 1915, held a convention in San Juan, and by a vote of more than 3 to 1 resolved to "postpone all action looking toward the independence of Porto Rico, and to devote our entire efforts toward a steady activity in favor of self-government." This, they declare, involves a new policy, which, withdrawing all systematic opposition to the American sovereignty, may gradually establish the foundation for a better understanding between Americans and Porto Ricans on the island. In this way, they believe, the legislative task of Congress as regards a possible reform in the organic act of Porto Rico will be rendered easier of accomplishment. As nearly all the essential concessions looking to a larger measure of self-government for the island are granted in this bill, which if passed will constitute their new constitution, it is confidently believed that the dream and desire for independence will not be longer indulged or cherished, and that Porto Rico may become a great and prosperous self-governing Commonwealth, which if not independent, will maintain its association with the United States because of its desire to continue such association, and because it will be mutually beneficial to Porto Rico and to the United States to continue it. I venture the prediction that the next constitution of government for Porto Rico that will be formulated will not be drawn in Washington, but it will be formulated in San Juan by the people of Porto Rico and sanctioned and approved by the Congress of the United States. [Applause.] As the present constitution of Canada was formulated at Ottawa, as the present constitution of Australia was drawn at Melbourne, and as the constitutions of these great self-governing Commonwealths were approved without change by the Parliament at London, so will the future constitution of Porto Rico be drawn by her own people and approved without modification by the Congress of the United States.

The external commerce of Porto Rico has increased from \$17,000,000 in 1901, the earliest year under American occupancy for which we have reliable statistics, to over \$83,000,000 for the fiscal year ending June 30, 1915.

Its exports have increased during that period from \$8,000,000 to \$49,000,000.

Imports from \$8,000,000 to \$33,000,000.

It is gratifying and important to note that the greater part of this large increase in her external commerce has been with the United States.

From 1901 to 1915 the total foreign trade of Porto Rico had increased from \$5,000,000 to only \$10,000,000.

During the same period the trade between Porto Rico and the United States had increased from \$12,000,000 in 1907 to \$73,000,000 in 1915.

During last year Porto Rico sold to the United States nearly \$50,000,000 of her products, and we sold to Porto Rico nearly \$34,000,000 of ours.

We sell more goods to Porto Rico than we do to Russia, or Austria-Hungary, or many of the other great nations of the world. Only 11 of the great nations of the world purchased more goods from us than Porto Rico.

Eighty-eight per cent of all the external trade of Porto Rico is carried on with the United States, and 91 per cent of its external purchases were made in the markets of this country.

The principal products of the island are sugar, tobacco, coffee, and fruit.

About 483,000 acres, or less than 25 per cent of the cultivable area of the island, is devoted to production. The exports, amounting, as we have seen, to nearly \$50,000,000, are practically all produced on this limited area. It represents an average of about \$103 for each cultivated acre of the island, a truly remarkable surplus production.

On October 18, 1898, the United States assumed formal possession of the island. A military government was at once established. A postal system was organized, freedom of speech and of the press proclaimed, a police force was formed, and strict sanitary measures adopted. Free public schools were opened, constitutional rights guaranteed, courts with jury trial established, and municipal elections were instituted. Considerable progress was made both politically and economically under Gens. Brooke, Henry, and Davis, who were successively appointed military governors of the island.

April 12, 1900, Congress passed the Foraker Act, now known as the organic law. It was entitled, "An act temporarily to provide revenues and a civil government for Porto Rico." Nevertheless it has continued and is now the fundamental law governing the island. For 16 years this "temporary" act has been in force comparatively unchanged.

In December, 1900, the President sent Hon. J. M. Dickenson, Secretary of War, and Gen. Clarence R. Edwards, Chief of the Bureau of Insular Affairs, to visit the island of Porto Rico to study conditions of the administration of the island, political, economic, and hygienic, and report such recommendations of changes in the organic law as conditions required. Upon his return the Secretary prepared a bill to provide a new organic law, which was introduced in the House by Mr. Olmstead, then chairman of the Committee on Insular Affairs. The bill, with certain amendments, passed the House, but failed of consideration by the Senate.

In March, 1914, the Committee on Insular Affairs of the Sixty-third Congress reported favorably the Jones bill, which was substantially the same in its provisions as the bill now pending.

Consideration of the bill was pressed by the chairman of the committee, but no action was taken during the last Congress.

The present bill is introduced to supersede the organic act of 1900 with its amendments, and to furnish for the people of Porto Rico a constitution of government commensurate with their present needs and in conformity, as far as possible, with their desires. It has been unanimously recommended for passage by the Committee on Insular Affairs.

It is a pleasure for me to say that in the consideration of this bill there has not been the slightest party spirit manifested by the members of the committee. The discussions have been upon broad constitutional grounds, with the evident purpose and desire on the part of all to give to the people of Porto Rico the best possible government, based upon principles of liberty guaranteed by law, and administered under such regulations as our own experience has shown most advantageous to secure the future safety and progress of the island. The chairman of the committee [Mr. JONES] is entitled to especial credit and praise, not only for his wisdom and care in the original preparation of the bill, but also for his uniform courtesy and fairness to all while presiding during the consideration of the bill. [Applause.]

The principal changes in the law that would result from the passage of the pending bill are as follows:

First. A bill of rights is established.

Second. Citizens of Porto Rico are made citizens of the United States.

Mr. BENNET. Will the gentleman yield for a question?

Mr. TOWNER. I yield to the gentleman from New York.

Mr. BENNET. What portion of the bill covers this sort of a case, which exists in my city of New York? Prior to 1898 there were many Porto Ricans living in New York City, and

they are still living there, engaged in business. Under the decision of the Supreme Court they can not be naturalized, because they can not renounce allegiance to any foreign power. They are not citizens of the United States. Under the case of *In re Williams* they are not aliens. What part of this bill gives those people any status at all?

Mr. TOWNER. I think the act granting citizenship to the people of Porto Rico would grant them this right.

Mr. BENNET. I do not want to interrupt the gentleman unduly, but if the gentleman will read that part of it I think he will find that the people who are now in Porto Rico are taken care of, but the people who were absent from Porto Rico prior to a certain date and who do not wish to return by a certain date are not taken care of. These natives of Porto Rico who lost their Spanish nationality, and who are now residing in the United States, have no definite status at all.

Mr. TOWNER. I think there is no question that there is no provision in the bill that will give citizenship to those people. They have lost their citizenship in Porto Rico, and we would have no authority to give them citizenship now.

Mr. BENNET. I disagree with the gentleman. We have not done it; and yet, why have we not done something to give these people some sort of a status?

Mr. TOWNER. I think there is no provision in the bill that would give them any status.

3. The control over harbors and navigable streams is transferred from the United States to Porto Rico.

4. The offices of the commissioner of agriculture and labor and commissioner of health are created, and members of the Executive Council are made heads of executive departments.

5. The powers of the auditor are increased.

6. An elective senate is created and the Executive Council deprived of legislative powers.

7. The budget system is established, and power is given the governor to veto items in appropriation bills.

8. A public-service commission is established, with extensive powers of control over franchises and public-service corporations.

Other changes are effected which will be referred to during the consideration of the bill.

It will not be possible adequately to discuss even the principal provisions of the bill, but it is confidently believed they will justify themselves in administration and prove satisfactory to at least a large majority of the people of the island. Great care and patient consideration extending over a period of years has been given to the formation of the bill, with a desire on the part of all those engaged in formulating it to give the people of Porto Rico the guaranty of every right and the protection of every personal and property possession which free men and liberty-loving nations possess and value. [Applause.]

Mr. JONES. Mr. Chairman, I yield 20 minutes to the Commissioner from Porto Rico [Mr. RIVERA].

Mr. RIVERA. Mr. Speaker, I want to state, in the first place, that I have taken great pleasure in the declaration of the gentleman from Virginia [Mr. JONES] the other day, and also in the declaration of the gentleman from Iowa [Mr. TOWNER] this morning. Both gentlemen are doing justice to my country. Both have endeavored to make this bill, which I consider a general proposition, a democratic measure, acceptable to all of my countrymen in Porto Rico.

On the 18th day of October, 1898, when the flag of this great Republic was unfurled over the fortresses of San Juan, if anyone had said to my countrymen that the United States, the land of liberty, was going to deny their right to form a government of the people, by the people, and for the people of Porto Rico, my countrymen would have refused to believe such a prophecy, considering it sheer madness. The Porto Ricans were living at that time under a régime of ample self-government, discussed and voted by the Spanish Cortes, on the basis of the parliamentary system in use among all the nations of Europe. Spain sent to the islands a governor, whose power, strictly limited by law, made him the equivalent of those constitutional sovereigns who reign but do not govern. The members of the cabinet, without whose signature no executive order was valid, were natives of the island; the representatives in the senate and in the house were natives of the island; and the administration in its entirety was in the hands of natives of the island. The Spanish Cortes, it is true, retained the power to make statutory laws for Porto Rico, but in the Cortes were 16 Porto Rican representatives and 3 Porto Rican senators having voice and vote. And all the insular laws were made by the insular parliament.

Two years later, in 1900, after a long period of military rule, the Congress of the United States approved the Foraker Act. Under this act all of the 11 members of the executive council were appointed by the President of the United States; 6 of them

were the heads of departments; 5 exercised legislative functions only. And this executive council, or, in practice, the bureaucratic majority of the council, was, and is in reality, with the governor, the supreme arbiter of the island and of its interests. It represents the most absolute-contradiction of republican principles.

For 16 years we have endured this system of government, protesting and struggling against it, with energy and without result. We did not lose hope, because if one national party, the Republican, was forcibly enforcing this system upon us, the other national party, the Democratic, was encouraging us by its declarations in the platforms of Kansas City, St. Louis, and Denver. Porto Rico waited, election after election, for the Democratic Party to triumph at the polls and fulfill its promises. At last the Democratic Party did triumph. It is here. It has a controlling majority at this end of the Capitol and at the other end; it is in possession of the White House. On the Democratic Party rests the sole and undivided responsibility for the progress of events at this juncture. It can, by a legislative act, keep alive the hopes of the people of Porto Rico or it can deal these hopes their death blow.

The Republican Party decreed independence for Cuba and thereby covered itself with glory; the Democratic Party is bound by the principles written into its platforms and by the recorded speeches of its leaders to decree liberty for Porto Rico. The legislation you are about to enact will prove whether the platforms of the Democratic Party are more than useless paper, whether the words of its leaders are more than soap bubbles, dissolved by the breath of triumph. Here is the dilemma with its two unescapable horns: You must proceed in accordance with the fundamental principles of your party or you must be untrue to them. The monarchies of the Old World, envious of American success and the republics of the New World, anxious to see clearly the direction in which the American initiative is tending, are watching and studying the Democratic administration. Something more is at stake than the fate of Porto Rico—poor, isolated, and defenseless as she is—the prestige and the good name of the United States are at stake. England learned the hard lessons of Saratoga and Yorktown in the eighteenth century. And in the nineteenth century she established self-government, complete, sincere, and honorable, in Canada, Australia, and New Zealand. Then in the twentieth century, immediately after the Anglo-Boer War, she established self-government, complete, sincere, and honorable, for the Orange Free State and the Transvaal, her enemies of the day before. She turned over the reins of power to insurgents who were still wearing uniforms stained with British blood.

In Porto Rico no blood will be shed. Such a thing is impossible in an island of 3,600 square miles. Its narrow confines never permitted and never will permit armed resistance. For this very reason Porto Rico is a field of experiment unique on the globe. And if Spain, the reactionary monarchy, gave Porto Rico the home rule which she was enjoying in 1898, what should the United States, the progressive Republic, grant her? This is the mute question which Europe and America are writing today in the solitudes of the Atlantic and on the waters of the Panama Canal. The reply is the bill which is now under discussion. This bill can not meet the earnest aspirations of my country. It is not a measure of self-government ample enough to solve definitely our political problem or to match your national reputation, established by a successful championship for liberty and justice throughout the world since the very beginning of your national life. But, meager and conservative as the bill appears when we look at its provisions from our own point of view, we sincerely recognize its noble purposes and willingly accept it as a step in the right direction and as a reform paving the way for other more acceptable and satisfactory which shall come a little later, provided that my countrymen will be able to demonstrate their capacity, the capacity they possess, to govern themselves. In regard to such capacity it is my duty, no doubt, a pleasant duty, to assure Congress that the Porto Ricans will endeavor to prove their intelligence, their patriotism, and their full preparation to enjoy and to exercise a democratic régime. [Applause.]

Our behavior during the past is a sufficient guaranty for our behavior in the future. Never a revolution there, in spite of our Latin blood; never an attempt to commercialize our political influence; never an attack against the majesty of law. The ever-reigning peace was not at any time disturbed by the illiterate masses, which bear their suffering with such stoic fortitude and only seek comfort in their bitter servitude, confiding in the supreme protection of God. [Applause.]

There is no reason which justifies American statesmen in denying self-government to my country and erasing from their programs the principles of popular sovereignty. Is illiteracy the

reason? Because if in Porto Rico 60 per cent of the electorate can not read, in the United States in the early days of the Republic 80 per cent of the population were unable to read; and even to-day there are 20 Republics and twenty monarchies which acknowledge a higher percentage of illiteracy than Porto Rico. It is not the coexistence of two races on the island, because here in North America more than 10 States show a higher proportion of negro population than Porto Rico, and the District of Columbia has precisely the same proportion, 67 white to 33 per cent colored. It is not our small territorial extent, because two States have a smaller area than Porto Rico. It is not a question of population, for by the last census there were 18 States with a smaller population than Porto Rico. Nor is it a matter of real and personal property, for the taxable property in New Mexico is only one-third that of Porto Rico. There is a reason and only one reason—the same sad reason of war and conquest which let loose over the South after the fall of Richmond thousands and thousands of office seekers, hungry for power and authority, and determined to report to their superiors that the rebels of the South were unprepared for self-government. [Laughter.] We are the southerners of the twentieth century.

The House of Representatives has never been influenced by this class of motives. The House of Representatives has very high motives, and, if they are studied thoroughly, very grave reasons for redeeming my country from bureaucratic greed and confiding to it at once the responsibility for its own destinies and the power to fix and determine them. They are reasons of an international character which affect the policy of the United States in the rest of America. Porto Rico, the only one of the former colonies of Spain in this hemisphere which does not fly its own flag or figure in the family of nations, is being closely observed with assiduous vigilance by the Republics of the Caribbean Sea and the Gulf of Mexico. Cuba, Santo Domingo, Venezuela, Colombia, Costa Rica, Honduras, Nicaragua, Salvador, Guatemala maintain with us a constant interchange of ideas and never lose sight of the experiment in the colonial government which is being carried on in Porto Rico. If they see that the Porto Ricans are living happily, that they are not treated with disdain, that their aspirations are being fulfilled, that their character is respected, that they are not being subjected to an imperialistic tutelage, and that the right to govern their own country is not being usurped, these nations will recognize the superiority of American methods and will feel the influence of the American Government. This will smooth the way to the moral hegemony which you are called by your greatness, by your wealth, by your traditions, and your institutions to exercise in the New World. [Applause.] On the other hand, if these communities, Latin like Porto Rico, speaking the same language as Porto Rico, branches of the same ancestral trunk that produced Porto Rico, bound to Porto Rico by so many roots striking deep in a common past, if these communities observe that your insular experiment is a failure and that you have not been able to keep the affections of a people who awaited from you their redemption and their happiness, they will be convinced that they must look, not to Washington but to London, Paris, or Berlin when they seek markets for their products, sympathy in their misfortunes, and guarantees for their liberty.

What do you gain along with the discontent of my countrymen? You as Members of Congress? Nothing. And the Nation loses a part of its prestige, difficulties are created in the path of its policies, its democratic ideals are violated, and it must abdicate its position as leader in every progressive movement on the planet. Therefore if you undertake a reform do it sincerely. A policy of subterfuge and shadows might be expected in the Italy of the Medici, in the France of the Valois, in the England of the Stuarts, or the Spain of the Bourbons, but it is hard to explain in the United States of Cleveland, McKinley, Roosevelt, and Wilson. [Applause.]

The bill I am commenting on provides for a full elective legislature. Well, that is a splendid concession you will make to your own principles and to our own rights. But now, after such a magnificent advance, do not permit, gentlemen, do not permit the local powers of the legislature to be diminished in matters so important for us as the education of the children. We are citizens jealous of this dignity; we are fathers anxious to foster our sons toward the future, teaching them how to struggle for life and how to reach the highest standard of honesty, intelligence, and energy. We accept one of your compatriots, a capable American, as head of the department of education, though we have in the island many men capable of filling this high office with distinction. We welcomed his appointment by the President of the United States. In this way the island will have the guaranty to find such a man as Dr. Brumbaugh, the first commissioner of education who went to Porto Rico, or as Dr. Miller, the present commissioner, who deserves all our confidence. But

let the legislature regulate the courses of study, cooperating in that manner with the general development of educational work throughout our native country.

I come now to treat of a problem which is really not a problem for Porto Rico, as my constituents look at it, because it has been solved already in the Foraker Act. The Foraker Act recognizes the Porto Rican citizenship of the inhabitants of Porto Rico. We are satisfied with this citizenship and desire to prolong and maintain it—our natural citizenship, founded not on the conventionalism of law but on the fact that we were born on an island and love that island above all else, and would not exchange our country for any other country, though it were one as great and as free as the United States. If Porto Rico were to disappear in a geological catastrophe and there survived a thousand or ten thousand or a hundred thousand Porto Ricans, and they were given their choice of all the citizenships of the world, they would choose without a moment's hesitation that of the United States. But so long as Porto Rico exists on the surface of the ocean, poor and small as she is, and even if she were poorer and smaller, Porto Ricans will always choose Porto Rican citizenship. And the Congress of the United States will have performed an indefensible act if it tries to destroy so legitimate a sentiment and to annul through a law of its own making a law of the oldest and wisest legislatures of all time—a law of nature.

It is true that my countrymen have asked many times, unanimously, for American citizenship. They asked for it when through the promise of Gen. Miles on his disembarkation in Ponce, and through the promises of the Democratic Party when it adopted the Kansas City platform—they believed it not only possible but probable, not only probable but certain, that American citizenship was the door by which to enter, not after a period of 100 years nor of 10, but immediately into the fellowship of the American people as a State of the Union. To-day they no longer believe it. From this floor the most eminent statesmen have made it clear to them that they must not believe it. And my countrymen, who, precisely the same as yours, have their dignity and self-respect to maintain, refuse to accept a citizenship of an inferior order, a citizenship of the second class, which does not permit them to dispose of their own resources nor to live their own lives nor to send to this Capitol their proportional representation. To obtain benefits of such magnitude they were disposed to sacrifice their sentiments of filial love for the motherland. These advantages have vanished, and the people of Porto Rico have decided to continue to be Porto Ricans; to be so each day with increasing enthusiasm, to retain their own name, claiming for it the same consideration, the same respect, which they accord to the names of other countries, above all to the name of the United States. Give us statehood and your glorious citizenship will be welcome to us and to our children. If you deny us statehood, we decline your citizenship, frankly, proudly, as befits a people who can be deprived of their civil liberties but who, although deprived of their civil liberties, will preserve their conception of honor, which none can take from them, because they bear it in their souls, a moral heritage from their forefathers.

This bill which I am speaking of grants American citizenship to all my compatriots on page 5. On page 6 it authorizes those who do not accept American citizenship to so declare before a court of justice, and thus retain their Porto Rican citizenship. On page 28 is provided that—

No person shall be allowed to register as a voter in Porto Rico who is not a citizen of the United States.

My compatriots are generously permitted to be citizens of the only country they possess, but they are eliminated from the body politic; the exercise of political rights is forbidden them and by a single stroke of the pen they are converted into pariahs and there is established in America, on American soil, protected by the Monroe doctrine, a division into casts like the Brahmins and Sudras of India. The Democratic platform of Kansas City declared 14 years ago, "A nation can not long endure half empire and half republic," and "Imperialism abroad will lead rapidly and irreparably to despotism at home." These are not Porto Rican phrases reflecting our Latin impressionability; they are American phrases, reflecting the Anglo-Saxon spirit, calm in its attitude and jealous—very jealous—of its privileges.

We have a profound consideration for your national ideas; you must treat our local ideas with a similar consideration. As the representative of Porto Rico I propose that you convoke the people of the island to express themselves in full plebiscite on the question of citizenship and that you permit the people of Porto Rico to decide by their votes whether they wish the citizenship of the United States or whether they prefer their own natural citizenship. It would be strange if, having refused it

so long as the majority of people asked for it, you should decide to impose it by force now that the majority of the people decline it.

Some one recently stated that we desire the benefits but shirk the responsibilities and burdens of citizenship. I affirm in reply that we were never consulted as to our status, and that in the treaty of Paris the people of Porto Rico were disposed of as were the serfs of ancient times, fixtures of the land, who were transferred by force to the service of new masters and subject to new servitudes. The fault is not ours, though ours are the grief and the humiliation; the fault lies with our bitter destiny which made us weak and left us an easy prey between the warring interests of mighty powers. If we had our choice, we would be a free and isolated people in the liberty and the solitude of the seas, without other advantages than those won by our exertions in industry and in peace, without other responsibilities and burdens than those of our own conduct and our duty toward one another and toward the civilization which surrounds us.

The bill under consideration, liberal and generous in some of its sections, as those creating an elective insular senate; a cabinet, the majority of whose members shall be confirmed by the senate; and a public-service commission, two members of which shall be elected by the people, is exceedingly conservative in other sections, most of all in that which restricts the popular vote, enjoining that the right of registering as electors be limited to those who are able to read and write or who pay taxes to the Porto Rican treasury. By means of this restriction 165,000 citizens who vote at present and who have been voting since the Spanish days would be barred from the polls.

Here are the facts: There exist at present 250,000 registered electors. Seventy per cent of the electoral population is illiterate. There will remain, then, 75,000 registered electors. Adding 10,000 illiterate taxpayers, there will be a total of 85,000 citizens within the electoral register and 165,000 outside of it. I can not figure out, hard as I have tried, how those 165,000 Porto Ricans are considered incapable of participating in the elections of their representatives in the legislature and municipalities, while on the other hand they are judged perfectly capable of possessing with dignity American citizenship. This is an inconsistency which I can not explain, unless the principle is upheld that he who incurs the greatest misfortune—not by his own fault—of living in the shadow of ignorance is not worthy of the honor of being an American citizen. In the case of this being the principle on which the clause is based, it would seem necessary to uphold such principle, by depriving 3,000,000 Americans of their citizenship, for this is the number of illiterates in the United States according to the census of 1910. There is no reason that justifies this measure, anyway. Since civil government was established in Porto Rico, superseding military government—that is, 16 years ago—eight general elections have been staged. Eight times the people, with a most ample suffrage law, have elected their legislative bodies, their municipal councils, their municipal courts, and school boards. These various bodies have cooperated to the betterment and progress of the country, which gives evidence that they were prudently chosen.

Perhaps one or a hundred or a thousand electors tried to commercialize their votes, selling them to the highest bidders.

For the sake of argument I will accept that hypothesis, though it was never proved. But even supposing that we had not to do with a presumption, but with an accomplished fact, I ask, Were there not and are there not in the rest of this Nation worthless persons who negotiate their constitutional rights? Did not the courts of a great State—the State of Massachusetts—convict four or five thousand men of that offense? Was there not a case in which the majority of a legislature promised to elect and did elect a high Federal officer for a few dollars? I do not think that these infractions of the law and breaches of honor reflect the least discredit on the clean name of the American people. I do not think that such isolated crimes can lead in any State to the restriction of the vote. They are exceptional cases, which can not be helped. The courts of justice punish the guilty ones and the social organization continues its march. In Porto Rico, if such cases occur, they should have and do have the same consequences. But it would be a sad and unjust condition of affairs if, through the fault of one, 1,000 men were to be deprived of their privileges; or, to speak in proportion, if, through the fault of 160 electors, 160,000 were to be deprived of their privileges.

The aforesaid motives are fundamental ones that require careful attention from the House. But there are deeper motives yet, those that refer to the history of the United States and of the American Congress. Never was there a single law passed under the dome of the Capitol restrictive of the individual

rights, of the rights of humanity. Quite the contrary, Congress even going to the extreme of amending the Constitution, restrained the initiative of the States for the purpose of making them respect the exercise of those rights without marring it with the least drawback. There is the fourteenth amendment. Congress could not hinder States from making their electoral laws, but it could decree and did decree that in the event of any State decreasing its number of electors it would, ipso facto, decrease its number of Representatives in this House. The United States always gave to the world examples of a profound respect for the ideal of a sincere democracy.

I feel at ease when I think of the future of my country. I read a solemn declaration of the five American commissioners that signed, in 1898, the treaty of Paris. When the five Spanish delegates, no less distinguished than the Americans, asked for a guaranty as to the future of Porto Rico, your compatriots answered thus:

The Congress of a country which never enacted laws to oppress or abridge the rights of residents within its domains, and whose laws permit the largest liberty consistent with the preservation of order and the protection of property, may safely be trusted not to depart from its well-settled practice in dealing with the inhabitants of these islands.

Congress needs not be reminded of its sacred obligations, the obligations which those words impose upon it. Porto Rico had nothing to do with the declaration of war. The Cubans were assured of their national independence. The Porto Ricans were acquired for \$20,000,000, and my country, innocent and blameless, paid with its territory the expenses of the campaign.

The treaty of Paris says:

As compensation for the losses and expenses occasioned the United States by the war and for the claims of its citizens by reason of the injuries and damages they may have suffered in their persons and property during the last insurrection in Cuba, Her Catholic Majesty, in the name and representation of Spain, and thereunto constitutionally authorized by the Cortes of the Kingdom, cedes to the United States of America, and the latter accept for themselves, the island of Porto Rico and the other islands now under Spanish sovereignty in the West Indies, as also the island of Guam, in the Marianas or Ladrones Archipelago, which island was selected by the United States of America in virtue of the provisions of article 11 of the protocol signed in Washington on August 12 last.

You, citizens of a free fatherland, with its own laws, its own institutions, and its own flag, can appreciate the unhappiness of the small and solitary people that must await its laws from your authority, that lacks institutions created by their will, and who does not feel the pride of having the colors of a national emblem to cover the homes of its families and the tombs of its ancestors.

Give us now the field of experiment which we ask of you, that we may show that it is easy for us to constitute a stable republican government with all possible guaranties for all possible interests. And afterwards, when you acquire the certainty that you can found in Porto Rico a republic like that founded in Cuba and Panama, like the one that you will found at some future day in the Philippines, give us our independence and you will stand before humanity as the greatest of the great; that which neither Greece nor Rome nor England ever were, a great creator of new nationalities and a great liberator of oppressed peoples. [Applause.]

Mr. FESS. Mr. Chairman, I yield 20 minutes to the gentleman from Minnesota [Mr. MILLER].

Mr. MILLER of Minnesota. Mr. Chairman, this is an occasion of rather more than passing significance to my mind. At last a bill to reorganize the government in Porto Rico is actually before Congress for consideration and, I trust, passage. The ways of mankind it is difficult even for saints or the powers of heaven, I suppose, always to understand. Two years ago the Committee on Insular Affairs practically agreed upon this same bill. It was reported to this House a year and a half or more ago, but was allowed to rest and sleep in peace without any effort having been made to bring it up and pass it. This bill has been on the calendar now in this Congress for quite a long time. There has even been an agreement under which the bill could be brought up under a privileged condition, and yet effort to bring it up has been delayed until the present moment.

I have heard it suggested in some quarters that it is not the intention of the majority in Congress to pass this bill so that it shall become a law. I do not share in that opinion. I certainly hope that it is not well founded. I certainly trust that at last the wishes of Porto Rico are to receive some consideration at the hands of this Congress. I shall watch the procedure relative to this bill in the future with a great deal of interest.

Some one naturally might arise to inquire what is the present urgency making it necessary to bring in this bill in place of appropriation bills. I do not know; I leave that for some one else to answer. After all the years of delay the spirit has moved somewhere to bring this in, leaving the many bills providing for the carrying on the Government of the United States, which are

on the calendar waiting for action. No one for a moment imagines that the revenue bills and appropriation bills will all become a law by the 30th of June, when they ought. Nobody can foresee how long we shall be held in the House, probably all summer; but let me indulge in the hope that this bill is brought in at this time ahead of the appropriation bills for the express purpose of its passing the House and then passing the Senate and becoming a law. If it is to become a law, it marks an epoch in the affairs of the United States as well as in the affairs of Porto Rico.

I know that we have all listened with great pleasure to the distinguished gentleman who has just addressed the House, Señor LUIS MUÑOZ RIVERA. He is the leading statesman of Porto Rico, and has ably represented that insular possession in the House of Representatives of the Congress of the United States for two or three years. [Applause.] He has not been on the floor of the House making a great many speeches, because he did not have a chance. Congress did not see fit to give consideration to measures for Porto Rico in which he and his people are interested, but he has been active nevertheless. He has been persistent and solicitous with the Committee on Insular Affairs to bring forth this bill and pass it. I do not know of anyone who could have been more insistent that he has been during all these years.

Yet we are now listening or have recently listened to him and realize he is not exactly pleased with the bill that is here, but that is not a matter of extreme surprise. The bill that passes and becomes a law is going to put permanently at rest the unrest in Porto Rico relative to the political status of that island. If this bill is enacted into law, and I think it will be, it means that the Congress of the United States says to the people of Porto Rico, once and for all, that they are a part of the United States domain and will always remain there; that the agitation for independence in Porto Rico must come to a decided and a permanent end. I do not suppose it is particularly congenial to those interested in political propaganda to put to one side such a splendid topic to talk upon as the independence of any place, but if there is anything that you and I must be agreed upon, it is this: That Porto Rico will never go out from under the shadow of the Stars and Strips. [Applause.]

The integrity of the United States requires that no sovereignty other than that of the United States shall exercise power over that domain, and it is not a new conception at all. Back 65 years ago leading Democratic statesmen of that time announced to the world that not only was it desirable that the United States should protect itself, but that the United States should also exercise control or sovereignty over—they did not use the words "Porto Rico," though they had it also in mind, but they did use the word "Cuba," saying that Cuba should be acquired in some form, in order that the integrity of the United States might be protected against foreign aggression. That time has long passed away, and the men who were engaged in that received a lot of opprobrium at the time, and I guess they deserved it. But now that we have dug the Panama Canal, and facilities for transportation and communication from here by land down to the canal are so dubious, doubtful, and difficult, beset with difficulties for man and beast, there must be a clean, straight avenue on the sea from here to Panama, and Porto Rico is in a very strategic position relative thereto. Furthermore Porto Rico is necessary to the United States as a key to the defense of the whole American continent against aggression from Europe.

That is not really what I had in mind to say, however, when I took the floor. There has been a peculiar agitation going on in Porto Rico, as there has been in other insular possessions, asking for independence. Two years ago, when the gentlemen interested in the passage of this bill appeared before our committee they said they did not want to be made citizens of the United States, would not take citizenship if we gave it to them—declined, as they said, any such status as citizenship under the American flag. They wanted to be independent, wanted to be free, wanted to have a government of their own. There has been some change in sentiment in the past two years, but not an entire change. This time the same gentlemen appeared before the committee, as well as some others, and they said that they were willing to take citizenship now, but that they still hoped some time to have independence. I said to them then and I say to them now, "If you accept and receive citizenship under the American flag, you will take it for yourselves and your children's children for all time." It is for their own benefit and welfare that they become citizens of the United States, that the independence propaganda be discontinued, and that our sovereignty remain there permanently. When we took over the island the people there had never had an election but once. They had never had the right to exercise the duties of citizenship but once. That was immediately after a small rebellion

against Spain, and they were permitted to elect certain officials in the early months of 1898.

Mr. RIVERA. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. In a moment, if I have the time. I think I am going to answer the gentleman's inquiry. They did hold an election, and they did elect some officials, but before the officials ever could act, before the machinery of government thereby set in motion could more than start, the Spanish-American War came on, and, of course, that ended everything. Now, however, since then they have learned to know that liberty does not necessarily mean independence, they have learned that personal liberty and freedom require an interdependence of individuals in order that they may be mutually protected, that citizenship under the sovereignty of the United States means full and complete liberty and freedom. They really realize that. I say that to their credit. They even realize that when they ask for independence now. They realize also that the schoolhouse is to be the savior of their people. A system of public schools 16 or 17 years ago was only on paper in Porto Rico, as it was everywhere else under the Spanish flag, while now there are something like 2,000 schools in Porto Rico, and every boy and girl born on the island has a chance for education and industrial opportunity.

Materially speaking, the external commerce of Porto Rico about the time of the American occupation amounted to about fifteen or sixteen millions of dollars, and that has increased until now it is \$83,000,000, and the difference between those two spells the measure of prosperity that has come to the people of that island, and augurs wonderfully well for the future that lies before them. But in that increase there is something that Americans should note. Somebody has said, and said rightly, that commerce follows the flag, and it does. The total exports of the United States to Porto Rico in 1901 were about \$5,000,000. This last year we sold the 1,200,000 people there over \$30,000,000 worth of products. Sixteen years ago the relative proportion of trade, external, in Porto Rico, was about equally divided between the United States and Europe, while to-day 88 per cent of the Porto Rican trade is with the United States, and we have been a wonderful purchaser of the things they have raised.

There has been a tremendous stimulus to the sugar industry and there has been a tremendous stimulus to the coffee industry, the two great industries in the island, and as we are the greatest consumers in the world of both sugar and coffee this relationship between Porto Rico and the United States guarantees an ever-increasing prosperity for the people of the island. One gentleman appeared before the committee, and I liked his appearance and conduct very much, but his logic was peculiar. He said one reason why Porto Rico should not be permanently a part of the United States or permanently under the sovereignty of the United States was because Porto Rico was so miserably poor and the United States so tremendously rich that it would not be proper to hitch together a poor spot and a rich one. I called his attention to the fact that had not the great American Desert, as it was known in our boyhood days, been a part of the great American Nation, so many spots would not have been made to blossom like the rose and become the home and habitation of so many millions of people. I called his attention to the fact that the people of Porto Rico now have free access to our markets, a privilege no doubt every other people in the world would well-nigh lay down their lives to obtain. To have that relationship continued means that Porto Rico will cease to be poor and eventually will become rich; that separated, a lonely, isolated spot on the sea, a prey to insurrection and everything else, her poverty, that we have talked too much about in my opinion, will not only be continued, but will be made greater. We have altruistic ideas toward people, and no nation ever lived that had greater, but there are enough Santo Domingos and Haitis in the world; and there are enough Nicaraguas, enough Guatemalas, enough Costa Ricans, enough Hondurases.

It is not every group of people that can have an independent and isolated sovereignty. Why, I remember that the spot where I was born and where I now live and have lived all my life has been under three great sovereignties—the sovereignty of France, for the lilies of France were once raised above the plains, rivers, and lakes of Minnesota; later under the sovereignty of Spain; her saffron-colored flag was there flung to the breeze; but, thank God, by reason of a Democratic President, in the year 1803 that land came under the sovereignty of the United States, without the consent of anybody living there, but with the eternal approbation and gratitude of every man who has lived there since. We would be a miserable, pitiful spectacle in Minnesota and Iowa and other States out yonder if we were an isolated interior State with a sov-

ereignty of our own. How infinitely superior and grander is our condition, not only respecting material well-being, but respecting freedom and liberty and opportunities of life, that we are a part of the great citizenship of the United States! So I trust my good friend Señor MUÑOZ RIVERA, who is the real leader and statesman of his people, will take this truth to his people, that they will best be serving their own interests if they remain comfortably under the shadow of Uncle Sam's strong right arm [applause]; that their prosperity and their freedom and their liberties that they think dear, and rightfully, will be equally dear to us, and if ever they shall be assailed by a foreign foe they will have the fleet and the Army and the last drop of American blood to protect them. [Applause.]

There are some things we might call attention to specially in reference to this bill. I am afraid somebody will not call attention to them, so I am going to do it. We are going to give them citizenship. Ten years from now they are all going to rise up and call us blessed for so doing. But we are not going to give everyone the right to vote; and they are all going to rise up and bless us for doing that, too. At the present time there is universal suffrage in Porto Rico—

Mr. RIVERA. Yes; there is.

Mr. MILLER of Minnesota. But I am afraid that universal suffrage does not mean the proper exercise of the responsibilities of self-government. The good Governor of Porto Rico, in his testimony before the committee, stated that the motive which moved most of the people to go to the poles was a monetary consideration. Now, that is not peculiar alone to Porto Rico, so I do not want anyone to take any offense at that. There are some spots in the United States where I understand that is the case, but it is not anywhere around where I live. [Laughter.] This bill is going to disfranchise 70 per cent of the citizens of voting age in Porto Rico. In other words, about 30 per cent of the men over 21 years of age in Porto Rico will now be able to vote. I say that not out of a spirit of trying to rub any sore spots, I say that not out of any spirit of trying to make our Democratic brethren uneasy, but I do say that for once the Democrats and Republicans of the House unite in looking facts in the face and acting intelligently in reference to them.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. CANNON. May I just ask one question by unanimous consent?

Mr. TOWNER. Mr. Chairman, I yield five minutes more to the gentleman.

Mr. CANNON. I had hoped that somebody, as we are all busy about many matters of legislation, would tell us about this bill. It seems to me there ought to be time in general debate in which some one would tell us about what this bill does.

Mr. MILLER of Minnesota. The details of the propositions as contained in the bill?

Mr. CANNON. Precisely.

Mr. MILLER of Minnesota. I can do so in a moment. The bill provides for a reorganization of the government of Porto Rico. That government since 1900 has been in essence this: The lower legislative branch has been elected by the people. The upper legislative branch has been appointed by the President of the United States, consisting of 11 men. Prior to the last three years 6 of these were Americans and 5 Porto Ricans. During the last two years 7 of those have been Porto Ricans and 4 Americans. These men, called "the commission," constitute not only the upper legislative branch but serve also as the heads of the executive departments.

This bill reorganizes the government to the extent of creating a full legislature that shall be elected by the citizens of Porto Rico who are qualified to vote; that is, by about 30 per cent of the people. There is a lower house and an upper house; a house of representatives, if you wish to call it that, and a senate. In addition there are six executive officers—heads of departments—that are to be appointed by the President of the United States or by the governor. The auditor of the island is to be appointed by the President and the others by the governor. There is given to the people of Porto Rico a bill of rights, which is the first part of the bill. It is practically a copy of the bill of rights contained in the United States Constitution. Personally I am of the opinion that they have that bill of rights down there now, but anyhow it will do no harm to reenact it here. The chief executive of Porto Rico is to be, as he has been in the past, a governor appointed by the President of the United States. There is continued the Federal court of the island out of deference to the foreign and American business interests, who desire this court to remain, with one Federal judge and one Federal attorney. There is no reorganization made of the other courts, they re-

maintaining about the same as they have been heretofore, and on the whole they have been satisfactory.

Now, if there is any other question—

Mr. CANNON. Has the governor the veto power?

Mr. MILLER of Minnesota. The governor has the veto power. However, a two-thirds vote on the part of both houses can override the veto, in which event it will go to the President of the United States, who has the absolute veto.

Mr. CANNON. Now, how are the taxes gathered?

Mr. MILLER of Minnesota. There are customs duties which are covered into the treasury of Porto Rico. In addition to that there are taxes from internal-revenue sources, part of which have gone into the United States Treasury and some into the local treasury. There are spent about \$7,000,000 a year, and the total receipts are about the same.

Mr. CANNON. Are the internal taxes of the same character as we have in the United States?

Mr. MILLER of Minnesota. I think so.

Mr. CANNON. Excise tax on tobacco, and so forth?

Mr. MILLER of Minnesota. They have some excise taxes. Some of them have gone into the Treasury of the United States, and that is one of the changes made in the bill. Heretofore all the tobacco, mainly cigars that have been consumed in the United States, having been imported from Porto Rico, has paid an internal revenue in the United States, because consumed here. It is proposed in this bill that that sum of money shall go into the treasury of Porto Rico.

Mr. CANNON. There is complete free trade between the United States and the island?

Mr. MILLER of Minnesota. Absolutely.

Mr. CANNON. What is the qualification of a voter? Is it a property qualification?

Mr. MILLER of Minnesota. At the present time; if the bill becomes a law, it will be property or educational.

Mr. CANNON. Property or educational—one or the other. Suppose that this legislative body declines, as it did once before, to agree to appropriations to carry on the government of Porto Rico, what would happen then?

Mr. MILLER of Minnesota. There is a provision in the bill that if the Legislature of Porto Rico refuses to make appropriations for the conduct of the government, the appropriations made in the last preceding year will be reenacted.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. ANTHONY. I would like to ask the gentleman a question.

Mr. CANNON. How much time is there for general debate?

Mr. TOWNER. An hour and a half on a side. I grant two minutes more to the gentleman from Minnesota.

Mr. ANTHONY. I believe the gentleman stated that under this present bill about 70 per cent of the voters would be disfranchised in Porto Rico?

Mr. MILLER of Minnesota. Yes.

Mr. ANTHONY. Is that correct, in view of this paragraph in the report, which says:

No one who had acquired the right to vote before the passage of this bill shall be disturbed in the enjoyment of that right.

Mr. MILLER of Minnesota. I am not responsible for what is in the report. I am simply stating the fact and that it was the statement of Gov. Yager, who said that 70 per cent of the people now in the islands would be disfranchised by the terms of this bill.

Mr. ANTHONY. I am calling the gentleman's attention to the way the report is written. It carries the belief that men who are present voters will not be disturbed in their franchise.

Mr. JONES. What report is that?

Mr. ANTHONY. It is the report handed to me at the Clerk's desk. It is by Mr. JONES, and is dated January 25, 1916.

Mr. JONES. The fact is, as stated by the gentleman from Minnesota [Mr. MILLER], that they have what is called manhood suffrage there now, and the purpose of this bill is to restrict it. That is the fact, anyhow.

Mr. ANTHONY. It is intended to restrict the franchise?

Mr. JONES. Yes.

Mr. HARDY. I would like to ask the gentleman from Virginia what the restrictions are, please?

Mr. JONES. I will say to the gentleman the educational qualification is that they must be able to read or write.

Mr. HARDY. Is there any other qualification?

Mr. JONES. I should have said read and write, and the property qualification is that they must pay some taxes.

Mr. CANNON. Either? Or does it require both?

Mr. JONES. Either.

Mr. JONES. I yield 15 minutes to the gentleman from New York [Mr. LONDON].

Mr. CLARK of Florida. Before doing that, the gentleman has just stated as one of the qualifications for the right to vote that the party must pay some taxes. Are those taxes on realty, or can voters pay taxes on personal property alone?

Mr. JONES. My recollection is that it is on realty, but it has been some time since I had occasion to look it up. I think it is on realty, though. I will look that up.

The CHAIRMAN. The gentleman from New York [Mr. LONDON] is recognized for 15 minutes.

Mr. LONDON. Mr. Chairman and gentlemen, it was a tragedy that we witnessed here a few minutes ago when the Commissioner from Porto Rico addressed this House. I believe that there is no citizenship in the world that is so valuable as the citizenship of the United States. But the idea of a compulsory citizenship is the most absurd thing that has ever been advocated. You can not compel people to love you. You can not compel people who, by their elective representatives, say that they prefer to be citizens of their own island, of their own little country, to accept your citizenship. You can not substitute your attachments and your loves, your affections, your habits, and your mode of thought upon people of another race and of other traditions.

I do not question that American citizenship is the most valuable citizenship. I wish the Porto Ricans were a part of the people of the United States. I hope that some day they will be a part of the United States, an integral part of this Republic; but it should be a matter of choice. It should be accomplished by a vote of the people of Porto Rico, and it should not be forced upon them by a decree of this Congress. There is another thing to which I want to direct your attention, gentlemen, and that is a very serious matter. It is the attempt to disqualify and disfranchise 165,000 voters out of a total of 200,000 voters in Porto Rico.

By what right do you lay your hand on the citizenship or the residents of Porto Rico? It is not a question of conferring the right of franchise. No; it is a question of taking away the right of franchise from three out of every four men in the island of Porto Rico. One hundred and sixty-five thousand people out of two hundred and three thousand voters of Porto Rico will be deprived by your bill of the right to vote.

Is that democracy? It seems that the Democratic Party tries to do everything that is bad in the Republican platform. Whenever the Democrats attempt to do something good they will just find enough bad Democrats to help beat it. You attempted to do something good in the Philippines, and sure enough, there were found enough bad Democrats in their own ranks to make the emancipation of the Filipino impossible. Your Porto Rico bill shows that you are incompetent to govern another nation. For that matter, no nation is competent to govern another nation.

I was amused by the thought expressed by the gentleman from Minnesota [Mr. MILLER] about the right of people to be independent. He tells the Porto Rican people that they have no right to be independent. He is going to decide for them whether liberty is synonymous with independence. He is going to tell what their rights and aspirations are. What sort of democracy is that? What sort of republicanism is that? You talk about \$80,000,000 of imports and exports. You talk about \$17,000,000 worth of imports and exports having increased to \$80,000,000. Who is benefited by it? The people of Porto Rico? Not a bit. The Tobacco Trust has benefited by it. The coffee planters have benefited by it. The external commerce of Porto Rico has increased fourfold. Have wages increased? Do not the workers of Porto Rico rebel to-day against the system of wages that compels them to work 12 hours a day for 45 cents? Why has not the 45 cents wage been quadrupled? Why has not the wage been increased? Not a word has been said about wages here. The commerce is \$80,000,000, and Republicans and Democrats seem ready to wipe off the Declaration of Independence and forget every noble word of every statesman of the past when you mention the dollar mark. Eighty million dollars, no more independence, no more rights of nations, but \$80,000,000.

I say you assassinate the rights of the Porto Ricans by depriving three-fourths of them of the franchise, and I will tell you what you are accomplishing. You deny to a man the right to express his views through civilized methods, through the medium of the ballot.

[Mr. LONDON here uttered certain words which were subsequently withdrawn.]

Mr. AUSTIN. Mr. Chairman, will the gentleman yield?

Mr. LONDON. One moment.

Mr. AUSTIN. Oh, Mr. Chairman, I call the gentleman to order.

Mr. LONDON. I repeat what I say.

Mr. AUSTIN. Mr. Chairman, I ask that his words be taken down. They are a disgrace to the American Congress.

The CHAIRMAN. The gentleman from New York will suspend speaking.

Mr. AUSTIN. I ask that his words be taken down.

The CHAIRMAN. The stenographer will take his words down.

Mr. AUSTIN. I wish I could make a motion to expel him from this House.

The committee rose; and the Speaker having resumed the chair, Mr. TAYLOR of Colorado, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 9533) to provide a civil government for Porto Rico, and for other purposes, during the course of the debate, in the remarks of the gentleman from New York [Mr. LONDON], the gentleman from Tennessee [Mr. AUSTIN] demanded that the words of the gentleman from New York [Mr. LONDON] be taken down.

The SPEAKER. The Chair will state to the gentleman from New York [Mr. LONDON] that the rule of the House is that in a situation like this the Member who is called to order is required to take his seat. The Clerk will report the words complained of.

The Clerk read the words.

The SPEAKER. It is for the House to determine what to do about this. If any gentleman has a motion to make—

Mr. GARRETT. I move that the gentleman from New York be allowed to proceed in order.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. I do not remember exactly the precedents. Is it in order—

The SPEAKER. The Chair will read the rule for the benefit of the House.

Mr. MANN. Is it in order now to move to postpone consideration of what should be done in this matter?

Mr. TOWNER. May we not have the rule read?

The SPEAKER. The Chair will read the rule:

If any Member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any Member may, call him to order, in which case he shall immediately sit down, unless permitted, on motion of another Member, to explain; and the House shall, if appealed to, decide on the case without debate; if the decision is in favor of the Member called to order, he shall be at liberty to proceed, but not otherwise; and if the case require, he shall be liable to censure or such punishment as the House may deem proper.

The only difference between that and what happens when the supposed offense is in Committee of the Whole is that the decisions provide that the Committee of the Whole shall immediately rise and report to the House what took place. Now, that has been done. The rule that applies to the conduct of the House for its procedure is stated in that rule. The gentleman from Tennessee [Mr. GARRETT] moves that the gentleman from New York [Mr. LONDON] be allowed to proceed in order. In the meantime the gentleman from Illinois [Mr. MANN] asks if this question might not go over for a while.

Mr. MANN. What I asked was whether the right of the House to take action in reference to expressions of that sort may go over under the rule.

The SPEAKER. The Chair thinks that the gentleman could ask unanimous consent that the matter be postponed until a day or an hour certain.

Mr. MANN. I find this in the Manual:

Or when he has uttered words alleged to be treasonable, the House has proceeded to censure, or other action, although business may have intervened.

Giving a citation to Hinds' Precedents.

The SPEAKER. The Chair does not think there can be any two opinions about that.

Mr. CLARK of Florida. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Florida. Will it be in order to move to strike the language from the Record?

The SPEAKER. There is one motion pending. If that is defeated, anybody may move to strike the language from the Record, or censure the gentleman, or do anything the House pleases.

Mr. CLARK of Florida. I would move to amend the motion of the gentleman from Tennessee by moving that the language be stricken from the Record. The motion of the gentleman from Tennessee is that the gentleman from New York be allowed to proceed in order.

The SPEAKER. I know, but it seems to the Chair that the motion the gentleman suggests is not germane to the motion that the gentleman from Tennessee [Mr. GARRETT] makes.

Mr. CLARK of Florida. That could be made later, Mr. Speaker.

The SPEAKER. Why, of course, if the motion of the gentleman from Tennessee [Mr. GARRETT] prevails that is the end of it. If it is defeated, then the other motion is in order.

Mr. SHERLEY. Prior to the vote coming upon the motion of the gentleman from Tennessee, is it not in order to move that the gentleman from New York [Mr. LONDON] be given an opportunity to explain his remarks?

The SPEAKER. It seems to the Chair that if the motion of the gentleman from Tennessee [Mr. GARRETT] prevails, that ends the whole matter.

Mr. SHERLEY. The point is this: In the interest of orderly procedure it might be very desirable, and such a motion as I suggest would afford the opportunity to the person charged with an offense against the rules of the House to explain before the House is required to vote upon the motion as to whether he be permitted to proceed or not.

The SPEAKER. The Chair is inclined to think the gentleman from Kentucky is correct.

Mr. AUSTIN. Mr. Speaker, I wish to move to lay the motion of my colleague from Tennessee [Mr. GARRETT] on the table, in order that I may offer a resolution of censure and to strike from the Record the language of the speech.

Mr. MANN. Mr. Speaker, I do not know whether the gentleman from Kentucky [Mr. SHERLEY] had the Manual before him when he made his inquiry of the Chair.

Mr. SHERLEY. I have just found it.

Mr. MANN. But if the Chair will look at the third paragraph of section 444 he will find that the motion to explain takes precedence of the other motion.

Mr. SHERLEY. I have just found it. It occurred to me that that ought to be the rule, and I have found a precedent which holds that it is. I therefore make that motion, that the gentleman from New York [Mr. LONDON] be permitted to explain his remarks.

Mr. GARRETT. I think that is in order, Mr. Speaker.

The SPEAKER. The gentleman from Kentucky [Mr. SHERLEY] moves that the gentleman from New York be permitted to explain his remarks.

Mr. MILLER of Minnesota. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MILLER of Minnesota. Is that motion debatable?

The SPEAKER. It is not. None of these motions is debatable.

Mr. MADDEN. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MADDEN. What has become of the motion of the gentleman from Tennessee [Mr. AUSTIN] to lay on the table?

The SPEAKER. He did make that motion to lay on the table.

Mr. SHERLEY. I make the point of order, Mr. Speaker, that my motion is a preferential motion, and the motion of the gentleman from Tennessee [Mr. AUSTIN] to lay upon the table the motion of the gentleman from Tennessee [Mr. GARRETT] can not come up until after the House has acted upon the motion which I have made.

Mr. GARRETT. The motion to permit the gentleman to explain is a preferential motion.

Mr. MADDEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MADDEN. The question is whether the motion of the gentleman from Tennessee [Mr. GARRETT] that the gentleman from New York be allowed to proceed in order being followed by a motion of the gentleman from Tennessee [Mr. AUSTIN] to lay the motion on the table, whether another motion can intervene.

Mr. BENNET. If the motion of the gentleman from Tennessee should be entertained and carried it would be futile, because then the motion of the gentleman from Kentucky, being a preferential motion, would be entertained before any motion that the gentleman from Tennessee could make.

The SPEAKER. It seems to the Chair that fair dealing and common sense both would indicate that the motion of the gentleman from Kentucky ought to be voted on first, and the motion of the gentleman from Kentucky is that the gentleman from New York be allowed to explain his remarks.

Mr. AUSTIN. Is the motion debatable?

The SPEAKER. None of these motions is debatable; the rule provides for a summary proceeding.

Mr. DYER. Mr. Speaker, is there any limit to the time of the gentleman from New York if the motion is agreed to?

The SPEAKER. The Chair has heard nothing about any time limit.

Mr. AUSTIN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. AUSTIN. Will a substitute motion be in order?

The SPEAKER. Not on this proposition.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the words in question may be again reported as a number of Members were not present.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming? [After a pause.] The Chair hears none, and the Clerk will report the words again.

The Clerk again read the words taken down.

The SPEAKER. The question is on the motion of the gentleman from Kentucky [Mr. SHERLEY].

The question was taken, and the motion was agreed to.

Mr. LONDON. Mr. Speaker and gentlemen, I will be very brief. I am extremely sorry that anything I said is the cause of displeasure on the part of the membership of this House. It is evident that if the remarks as reported contained two or three additional connecting words, that would have removed the objectionable feature of these remarks. As they stand it would seem that I advocated or suggested that when the voters of Porto Rico were deprived of the franchise they would have a right to use violence. The substance of my remarks, the idea that I intended to convey to the House, was this, that in all democratic countries men are given an opportunity to express their ideas, their views, their political convictions by means of the ballot; that in those countries where men are deprived of the opportunity to give expression to their views through the use of the ballot they have to use other means, and they do use other means.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. LONDON. I ask the forgiveness of the gentleman, but I do not want to yield at this moment.

Mr. MILLER of Minnesota. I simply wanted to ask, Does the gentleman approve of that course?

Mr. LONDON. One moment, I will yield a little later. Stenographers are my enemies. I talk very fast, I walk up and down so that a stenographer has to be on wheels to follow me so as to understand everything I say. I am not finding fault with the stenographer; for instance, you have an expression here that I am confident I did not use, because it has no meaning at all—the expression, “the right to press his claws through civilized methods.” I do not recall, and I am confident I did not use that expression. I probably used the words “express his views.” However, the long and short of it is this: I do not advocate the use of violence. I am a Socialist. I believe in political activity. The greater part of my life has been spent in fighting the advocates of the use of violence. You have heard me again and again on the floor denounce the use of violence. I am a great believer in intelligence and love. Love, intelligence, and education are the great powers—the great forces for the improvement of mankind.

Mr. AUSTIN. If that is the gentleman's view, why should he used the words “pistol” and “the knife of the assassin?”

Mr. LONDON. You told—they will be told that they have a right to use it, there will be men who will tell them, and the whole thing will be very clear. I do not want the House to understand for one moment that I advocated the use of violence. I intended to impress on the House the importance of retaining democratic principles.

Mr. HARDY. Will the gentleman yield? Why does not the gentleman ask to cut the thing short—that if anything in his remarks bears that interpretation he desires to withdraw it?

Mr. LONDON. I not only ask for it, but I express my deep sorrow that any Member of the House should have understood me as advocating the use of violence.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. GARNER. Mr. Speaker, will the gentleman yield?

The SPEAKER. To whom does the gentleman from New York yield?

Mr. LONDON. To the gentleman from Illinois.

Mr. MANN. What the gentleman said was perfectly patent to every one. He said what the stenographer reports him to have said, and if he wants to withdraw it, why does he not withdraw the statement and take that to himself instead of putting it upon the stenographer?

Mr. LONDON. I am not putting any blame upon the stenographer. I say that stenographers find it extremely difficult to follow me.

Mr. MANN. But in this case, if the gentleman will permit, we do not have to rely upon the stenographer. Plenty of Members of the House heard the gentleman, and that is the reason his words were taken down. Why does he not disavow the intent?

Mr. LONDON. I said very clearly that if this language conveys that thought, I am extremely sorry that it is a part of the RECORD.

Mr. GARNER. Mr. Speaker, will the gentleman yield now? Mr. LONDON. In the absence of the words “they will be told.”

The SPEAKER. Does the gentleman yield?

Mr. LONDON. I yield to the gentleman from Texas.

Mr. GARNER. I did not happen to be in the Hall and did not hear the gentleman's statement, but the gentleman says now that the basis of his statement as read from the desk was to the effect that people who can not vote in Porto Rico will be told so and so. If he made that statement—

Mr. AUSTIN. But he never made it.

Mr. MANN. That is not what he said.

The SPEAKER. The Chair would like to ask the gentleman from New York a question. Does he desire to withdraw from the CONGRESSIONAL RECORD the words complained of?

Mr. LONDON. I do.

Mr. GARNER. That settles it, then, Mr. Speaker.

The SPEAKER. It would seem so to the Chair.

Mr. AUSTIN. I think the gentleman ought to apologize.

The SPEAKER. He has already apologized.

Mr. LONDON. I think I have apologized.

Mr. AUSTIN. But he has tried to put it off on the official stenographer. He has been attempting to put the responsibility on the stenographer.

Mr. LONDON. Not at all.

The SPEAKER. The truth is that a great many of us put responsibilities on stenographers and newspaper reporters when we have no business to do it. The remarks that the gentleman from Tennessee [Mr. AUSTIN] objected to will be stricken from the CONGRESSIONAL RECORD, and that being the case, the Chair will put the motion of the gentleman from Tennessee [Mr. GARRETT] that the gentleman from New York be permitted to proceed in order. Does the gentleman from Tennessee [Mr. AUSTIN] withdraw his motion to table the motion of the gentleman from Tennessee [Mr. GARRETT]?

Mr. AUSTIN. Mr. Speaker, if the gentleman from New York will sin no more, I am willing to do it. [Laughter.]

The SPEAKER. The Chair can not guarantee that. The gentleman from Tennessee [Mr. AUSTIN] withdraws his motion to table the motion of his colleague, and the question is on the motion of the gentleman from Tennessee [Mr. GARRETT] to permit the gentleman from New York to proceed in order.

Mr. MILLER of Minnesota. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MILLER of Minnesota. Have the words complained of been stricken from the RECORD?

The SPEAKER. They have.

Mr. MILLER of Minnesota. Does it not require unanimous consent?

The SPEAKER. It does not.

Mr. CANNON. Does the apology that the gentleman makes to the House for the use of the words stand in the RECORD?

The SPEAKER. Yes; that stands. What the gentleman said when he was on the floor the last time stands, and what he said when he was up the other time goes out of the RECORD. The question is on the motion of the gentleman from Tennessee [Mr. GARRETT], that the gentleman from New York be permitted to proceed in order.

The question was taken; and on a division (demanded by Mr. MOORES of Indiana) there were—ayes 76, noes 18.

So the motion was agreed to.

The SPEAKER. The committee will resume its session.

The committee resumed its session.

The CHAIRMAN (Mr. TAYLOR of Colorado). The gentleman from New York has six minutes remaining.

Mr. LONDON. Mr. Chairman, by establishing the principle that only one-fourth of the people of Porto Rico shall be entitled to the franchise you reestablish the principle that property is entitled to a vote and not the human being. Instead of each man being entitled to a vote, you will have property recognized as the legal entity, as the political unit of Porto Rico. You know that after the adoption of the Constitution in 1787 many American States were for 50 years struggling with the reactionary elements to remove the property qualifications, and that as late as 1842, in the American State of Rhode Island, there was a rebellion known as the Dorr's rebellion. Do not be terrified by the word “revolution” again, please. In 1848 it was found that in the State of Rhode Island, owing to an old primogeniture law, only landlords and their first-born sons had a right to vote, so that the greater part of the population of the State of Rhode Island did not enjoy the franchise, and a rebellion had to take place before the franchise was conferred upon every citizen of the State of Rhode Island. You are

making a mistake by forcing upon the Porto Ricans citizenship which they do not want. Let us say they are not ripe for it; let us say they are not intelligent enough for it; let us say that they have not learned to love you as much as you deserve. The fact is that all political parties in Porto Rico object to compulsory citizenship. It is a serious error that you are now attempting. Next, you are sowing the seeds of discontent by depriving three-fourths of the population of Porto Rico of the right to give expression to their discontent through the legitimate method of the ballot.

What other methods will they find to translate their views into? What other means will they possess of giving expression to their desires, to their wishes and political convictions? Why force upon Porto Rico reactionary laws against which your own fathers contended for 50 years after the establishment of this Republic? It is a very serious mistake that you are committing, and it is to be regretted that this earnest appeal of mine on behalf of the people of Porto Rico should have been interrupted by an unpleasant incident.

Mr. AUSTIN. Will the gentleman yield for a question?

Mr. LONDON. Yes.

Mr. TRIBBLE. Does the gentleman mean to say by that statement that the House has made a mistake in stopping the gentleman and having those words stricken out?

Mr. LONDON. On the contrary, the House has expressed what was in my own heart.

Mr. AUSTIN. The gentleman favors giving universal franchise to everybody in Porto Rico, whether educated or property holders or not?

Mr. LONDON. I do.

Mr. AUSTIN. Does the gentleman believe in that same thing in Mississippi, Louisiana, and South Carolina?

Mr. LONDON. I believe every human being—

Mr. AUSTIN. Has the gentleman a different rule now—

Mr. LONDON. One moment. This is a problem which I can not go into in the one minute I have. The problem was made clear by the gentleman who represents Porto Rico when he said that in Porto Rico the colored vote is comparatively insignificant and that the relations between the races are more liberal there than in other sections of the country.

Mr. AUSTIN. Does the gentleman believe in that principle?

Mr. LONDON. I believe in the principle that every human being—

Mr. AUSTIN. Should have the right to vote?

Mr. LONDON. Has the right that any other human being has under the same circumstances and under the same conditions.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TOWNER. Mr. Chairman, I yield 20 minutes to the gentleman from Ohio [Mr. Fess]. [Applause.]

Mr. JONES. Mr. Chairman, I will ask the gentleman from Ohio if he will yield just for a moment in order to enable me to make a statement?

Mr. FESS. Certainly.

Mr. JONES. Mr. Chairman, I merely desire to make a statement. The gentleman from Kansas [Mr. ANTHONY] a few moments ago asked the gentleman from Minnesota [Mr. MILLER] as to this language, which he said was to be found in the report of the committee:

No one who had acquired the right to vote before the passage of this bill will be disturbed in the enjoyment of that right.

He asked the gentleman from Minnesota if that statement was in cognizance with the provisions of the bill, and the gentleman from Minnesota replied that he was not responsible for what was in the report. I asked the gentleman from Kansas to what report he referred, and he replied it was in the report accompanying this bill. Now, I was very much surprised at that statement, because I had written the report, and upon examination I find that the language he quoted is to be found in a report made two years ago. It is true that a part of that report is incorporated in the report on this bill. The bill of two years ago contained educational and property qualifications, and provided also that those who had exercised the right of suffrage should be permitted to continue to do so. That language of the bill of two years ago is not to be found in this bill.

Mr. MANN. Will the gentleman yield?

Mr. JONES. I will.

Mr. MANN. In the absence of the gentleman from Kansas—because I have a note made of this same matter—I find this language in large type in this report:

The other changes made in the bill reported by this committee in the Sixty-third Congress are of such minor importance that it is not deemed necessary to specifically call attention to them. The report upon that

bill, hereinbefore referred to and which is made a part of this report, taken in connection with the foregoing, sufficiently fully sets forth the changes which this bill, if enacted into law, will effect in the present organic law of Porto Rico.

Then occurs this language, to which reference has been made:

No one who had acquired the right to vote before the passage of this bill will be disturbed in the enjoyment of that right.

Was not the gentleman from Kansas justified in thinking that that was a part of the report on this bill when it stated so and when it stated that there were only minor changes, and now the gentleman says 70 per cent are to be disfranchised? Is that a minor change?

Mr. JONES. Mr. Chairman, I think the gentleman from Kansas was justified in drawing that conclusion, but I wanted to explain to the committee that the reference did not apply to this bill. Possibly if this report had been a little more carefully drawn attention would have been called to that fact, but it is a fact that the language in question was in the report of two years ago which is incorporated in this report, and that the provision of the bill of 1914 to which it referred is not contained in this bill. I think the gentleman is mistaken in saying that under the educational qualifications of this bill 70 per cent of the present voters in Porto Rico will be disfranchised.

Mr. MANN. I did not make the statement. That was the statement which the gentleman from Minnesota [Mr. MILLER] made, and in which I understood the gentleman from Virginia to acquiesce. I do not know.

Mr. JONES. The Delegate from Porto Rico [Mr. RIVERA], I think, said some 30 per cent. I think that is more nearly correct.

Mr. MANN. I spoke of it because I noticed it in the report.

Mr. JONES. I simply wish to add that the gentleman from Florida [Mr. CLARK] asked me what the property qualification was. The property qualification is that the voter must pay at least \$3 of taxes. It may be upon personal property, real property, or any other sort of property, but it must amount to \$3.

I thank the gentleman from Ohio for permitting me to make this statement in his time.

The CHAIRMAN. The gentleman from Ohio [Mr. Fess] is recognized for 20 minutes.

Mr. FESS. Mr. Chairman, I want to address the committee upon the principles involved in this bill in the light of the history of our own country in this sort of legislation. I was greatly interested in reading a statement years ago of the great English historian Macaulay, in which he stated there was not a single virtue of the American system of government that we had not borrowed from the English House of Commons. Of course, I do not agree with that statement, and any student of our system of government must see its faulty meaning. A separation of the three departments of our Government is one of the things that we did not follow Great Britain upon. And our government of Territories is another one of the things that we did not follow the mother country upon. The truth about the matter is Great Britain has outlined her more recent colonial policies from our plan that is announced in the ordinance of 1787. That ordinance was adopted by the Second Continental Congress before the Federal Constitution was adopted, and is the plan of government that we have universally followed, with one exception, in the government of territory. In the Federal Constitution—I think it is the third section of Article IV—there is specific authority given for the making of needful rules for the disposition and the government of a Territory. Of course, we contemplated the territory that is now known as the Northwest Territory and the Southwest Territory. Out of the former we carved five States. Out of the latter we carved four. In other words, there were nine States carved originally out of the territories specifically in mind of the Federal Constitution makers when they said we had authority to make all needful rules governing Territories.

But in 1803 we added to our territory in the purchase of Louisiana. This is a new phase of government. President Jefferson at that time was really the responsible head for the purchase of that territory. You know he said that he stretched the Constitution until it almost cracked, in order to secure the territory, and the Government was of his order. The first was the appointment of governor and 13 legislators, or councilmen, all appointed by the President, and they governed without any reference whatever to the will of those who were governed. And, secondly, it was substituted for another form of appointment of a governor and three judges—called judges, but who acted as the legislature. And then in 1810, seven years after the purchase, we had the first modern form of Territorial gov-

ernment. And in 1812 the State of Louisiana was admitted. But here was the first trial of the government in our country of a territory purchased or acquired after the Federal Constitution was adopted, and the form of government was not like the government that Great Britain had exercised over us and other colonies prior to our independence.

Then the next move was in 1819, when Florida came. We first gave her a Territorial form of government, very largely modeled over the plan of the ordinance of 1787, and in 1845 admitted her into the Union. In the same year Texas came into the Union. It was the first time in our history where by an act of Congress we made citizens of our country by wholesale, without requiring individuals to meet the conditions that are required by our specific naturalization laws. But Texas was not given by this Nation a Territorial form of government, but at once a State form of government, when she was admitted. We did not say "admitted," but "annexed." This was the second instance of giving statehood without an enabling act. In 1846, the year after the annexation of Texas, we occupied the Oregon Territory and provided a government in which we followed the plan of the ordinance of 1787, which had served us as our model for all Territorial government up to that time. We did exactly the same thing with the Mexican cessions of 1848, out of which we carved California, Nevada, Utah, New Mexico, and parts of Colorado. We followed in the same order our government of Alaska, that came to us in 1867, first the unorganized territory, and the next natural step was the organized Territory.

Now, my friends, when Lord Macaulay stated that there was not an item in our system that we had not borrowed from Great Britain that statement surely is far afield of the fact, because the one thing in which we are more distinguished and differentiated from the mother country is the manner of the government of these outlying possessions. Up to the time I have been speaking—the purchase of Alaska—we had not anything beyond our immediate contiguous territory, except Alaska. The dominant population in all save parts of the Mexican cessions was Anglo-Saxon. In 1878, William E. Gladstone wrote an article which was published in the North American Review under the caption "Our kin beyond the sea," in which he said that the daughter had passed the mother in a canter, referring to the United States and Great Britain. He also declared as the British constitution was the most subtle instrument ever adopted by a people, so the American Constitution was the most wonderful instrument stricken off by the brain or purpose of man at any one time.

That was in 1878, soon after the Civil War closed. And if you read the article you will notice that he favorably comments upon our plan of the government of a Territory as outlined by the ordinance of 1787. It was in 1832, and finally in 1835, I think, Lord Durham recommended and England adopted the form of colonial government for Great Britain as applied in modern years. It was first applied to Canada. In the Lord Durham Act the principles of the ordinance of 1787 are very largely respected with the exception, of course, of delegate representation in vogue in our Territorial plan. And to-day the self-government elements in Canada and Australia and New Zealand and South Africa are very largely copied after the form adopted in our country in 1787. That is, the all-but-complete participation of the people in their own government in the British colonies is the dominant note of the famous ordinance.

Now, what is the Porto Rican act, the one that we are now discussing? It is an attempt to do for Porto Rico, the first people that are not our own in that they are not Anglo-Saxon—and Anglo-Saxon seems to be the people who have distinguished themselves in local government and in some sort of a solution of colonial government—the first time our country has been called upon to do for a people not speaking our language—and are trying to give to the people of that island not only the best form of local self-government that we can outline, but at the same time give them United States citizenship, a thing that I would suppose they would very keenly want, because it carries with it all the dignity and honor and power that go with an American citizen. That ought to amount to a great deal. Our insular possessions, the fruits of the Spanish-American War, involved new questions of territorial government. They brought to us new peoples, unused to the principles and practices of local self-government. The problem was how to apply our constitutional authority over Territories to distant possessions, not similar to our former territorial problems. This problem, so far as Porto Rico is concerned, is not producing a partisan division of our people as does the Philippine problem. We are here attempting to bring the people of this island into

the closest possible relation with our own people and Government.

Every step of this bill, so far as I know, building upon the same plan as the Olmsted bill, is an enlargement of the freedom of these people and the participation in their local government of these people who were made free in 1898, when we drove out of the western world the country that had them under subjection.

There have been some questions as to whether we are going too far—an elective house; an elective senate;—true, an appointive governor; true, legislation that might be vetoed by the governor, but overcome by a two-thirds vote of the legislature; and when that is done it finally reverts back to the President of the United States, because we must be responsible for the legislation in a certain degree. The same thing might be said of the manner of revenue and finance. We keep our hands on that. The President appoints the auditor for the islands.

Mr. REAVIS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Nebraska?

Mr. FESS. Yes.

Mr. REAVIS. As I understand the provisions of the bill, the President retained the right of ultimate veto.

Mr. FESS. Yes.

Mr. REAVIS. Does that obtain in the absence of a veto by the local governor?

Mr. FESS. No; it does not.

Mr. REAVIS. So that if the governor approves the legislation, the President has no right of ultimate veto?

Mr. FESS. All laws are reported to Congress, but the proposed act of legislation first comes to the governor, and if the governor signs it that ends it. It becomes a law. If the governor vetoes it and it is overridden in his veto, then it comes to the President, who has an absolute veto. But under no other circumstances does it come to the President.

Mr. REAVIS. What is the power of Congress upon the reference of legislation to the Congress?

Mr. FESS. The legislation by an autonomous government must be reported to Congress for approval or disapproval, if Congress cares to take action upon it. Of course it goes without saying that Congress will not take action unless something is brought up to be acted upon.

I look into the steps of this legislation with a great deal of pleasure from this standpoint, that it is an attempt to extend local self-government, such as we believe here is the ultimate form, to these people in the islands, with no restriction upon them whatever, except the ones that I have named.

As to the details of the bill, I prefer to leave them to be considered under the five-minute rule when they will be fully considered by the committee. As to the possibilities of perfect satisfaction ultimately on the part of the people of the islands, I think that that is very easily within the possibility, and I may say probably. The proposal to extend citizenship to these people is the one significant feature of this bill. I have tried to find whether there has been any serious opposition to extending it to the people of Porto Rico. There is not any serious opposition that I know of, save this one objection that has been offered, that you are trying to force citizenship upon the Porto Ricans. I am sure that is not serious when once understood. This bill does not require the Porto Rican to take an oath of allegiance to make him a citizen. We citizenize him precisely as we citizenize the man from Texas, but if he frets under it and does not want to be a citizen, then it is his privilege to take the step provided in this bill, to say that he does not want to be a citizen; and when he does not, he is not a citizen, not because we forbid it but because it is his option and he chooses to step out of it.

Mr. REILLY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Wisconsin?

Mr. FESS. Yes.

Mr. REILLY. What would be his status as to citizenship if he should follow out the step and refuse to be a citizen?

Mr. FESS. It would be a question whether he would be a citizen of Porto Rico or "a man without a country." My opinion would be—although I find that it is not the opinion of those who were heard in the hearing—that you do not destroy the citizenship of the place where he lives any more than you destroy my citizenship of Ohio. I have a double citizenship. I am a citizen of the United States and I am a citizen of Ohio. The man who is in Alaska in a sense has a double citizenship. He is a citizen of the United States and a citizen of Alaska.

Now, they say that technically that is true, because citizenship is a matter defined by the Constitution, and it says:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens.

Now, these people were not born in the United States. They are, however, subject to the jurisdiction of the United States. They to-day are not citizens of the United States because they are not born in the United States; but they will be made citizens by this law unless they decline to be citizens, and if they decline I do not know whether you could say they are citizens of a country that is a part of the United States or not. At any rate, the resident of Porto Rico who is now a citizen of a foreign country would not by this law be denied that citizenship.

Mr. REILLY. Was any parallel case called to the attention of the committee?

Mr. FESS. No; there is no parallel in our history to this particular case.

Mr. REILLY. One more question.

Mr. FESS. Very well.

Mr. REILLY. Does the Porto Rican want this sort of citizenship?

Mr. FESS. I would rather have the Commissioner indicate that.

Mr. REILLY. What has been presented to the committee that would indicate that?

Mr. FESS. It has been indicated to the committee that citizenship is desirable, but it is a question whether they want it in this way. This is wholesale legislation of citizen making, covering the whole people of the island, as we did the people of Texas, making them citizens by an act. If they do not want to be, there is a way open; but some of them most naturally seem to feel that that is not the proper way to proceed, just as has been suggested on the question of voting, that if they have the ballot once we are not justified in taking the ballot away from them by the adoption of new requirements. This question was quite fully gone into by the committee after hearing statements covering the local situation from those now in the island and responsible for good order.

I think that when we realize the responsibility which we are assuming to make that island self-governing we will realize that intelligence in the electorate is one of the essential things, and for that reason that has been required.

Mr. HELGESEN. Does the gentleman think that a man can be a citizen of Porto Rico without being a citizen of the United States?

Mr. FESS. I can be a citizen of the United States and not a citizen of Porto Rico. I do not know that I caught the gentleman's question.

Mr. HELGESEN. Can you be a citizen of Ohio and not be a citizen of the United States?

Mr. FESS. I think not.

Mr. HILL. Not since the fourteenth amendment you can not.

Mr. HELGESEN. Does not the gentleman think that will apply to Porto Rico just as well?

Mr. FESS. What was the question of the gentleman from North Dakota?

Mr. HELGESEN. I asked the gentleman if he contended that a man could be a citizen of Porto Rico without being a citizen of the United States?

Mr. CANNON. If the gentleman will allow me—

Mr. FESS. Just a moment. The gentleman from North Dakota wanted to know whether under this law a man could be a citizen of Porto Rico and not be a citizen of the United States.

Mr. HELGESEN. After the passage of this law.

Mr. FESS. I think he can, although the statement has been made before the committee that he can not. They are now citizens of Porto Rico and not of the United States.

Mr. MANN. Oh, there is no doubt about that. They are not citizens of the United States.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. JONES. I yield to the gentleman from Illinois [Mr. CANNON] 10 minutes.

[Mr. CANNON addressed the committee. See Appendix.]

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10385) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1917,

further insists upon its amendments, asks a further conference with the House on the disagreeing votes thereon, and had appointed Mr. ASHURST, Mr. MYERS, and Mr. CLAPP as the conferees on the part of the Senate at the further conference.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 2986. An act to provide capital for agricultural development, to create a standard form of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to provide for the investment of postal savings deposits, to create Government depositories and financial agents for the United States, and for other purposes.

CIVIL GOVERNMENT FOR PORTO RICO.

The committee resumed its session.

Mr. TOWNER. Mr. Chairman, I yield six minutes to the gentleman from North Dakota [Mr. YOUNG].

Mr. YOUNG of North Dakota. Mr. Chairman, legislation for Porto Rico or the Philippines can not be intelligently considered without reading the treaty of Paris. A few days ago the gentleman from Tennessee [Mr. GARRETT] made the statement that there were no specific guaranties made to Spain or to the citizens of Spain in the treaty of Paris, excepting the article respecting copyrights and some other provisions limited to 10 years. That was a most surprising statement. In Article IX there are specific guaranties made to the citizens of Spain, but in a larger sense every guaranty in this treaty is made to the citizens of Spain, because Spain was a party to the treaty, and for that reason every guaranty found in it is a guaranty made specifically to the citizens of Spain. The treaty, as you know, was concluded in Paris on December 10, 1898, and its ratification was advised by the Senate February 6, 1899. It will be remembered, too, that it was necessary to have Democratic votes in the Senate in order to ratify it, and that Hon. W. J. Bryan came to the Capitol to urge its ratification. The treaty was proclaimed by the President on April 11, 1899. Five distinguished citizens represented the United States—Judge William R. Day, Senator Cushman K. Davis, Senator William P. Frye, Judge George Gray, and Ambassador Whitelaw Reid, and there were also five distinguished gentlemen who represented the Kingdom of Spain.

Article I contained this provision:

Spain relinquishes all claim of sovereignty over and title to Cuba. And as the island is, upon its evacuation by Spain, to be occupied by the United States, the United States will, so long as such occupation shall last, assume and discharge the obligations that may under international law result from the fact of its occupation—

I call particular attention to the fact that our guaranties in respect to Cuba were limited to the time of our occupation, and every other guaranty found in the treaty has no limit of time whatsoever.

Article II provides for the ceding of Porto Rico and Guam. Article III provides for the cession of the Philippine Islands. Article IV provides that the United States will for a term of 10 years admit Spanish ships and merchandise to the ports of the Philippine Islands on the same terms as ships and merchandise of the United States. Article V relates to the return of Spanish soldiers.

Mr. MILLER of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of North Dakota. Certainly.

Mr. MILLER of Minnesota. Suppose we had listened to the demand of the candidate for President in 1900, Mr. Bryan, had he been elected, and given independence to the Philippine Islands, could we have carried out that guaranty that Spanish ships for 10 years should have free access to the ports of the Philippine Islands?

Mr. YOUNG of North Dakota. Absolutely not. Article VI provides for the exchange of prisoners. Article VII provides for the mutual relinquishment of all claims for indemnity against citizens between our country and their country. Article VIII relates to the relinquishment of public buildings and property in the ceded territory; and here is Article IX, which contains the bill of rights. This is the most important article in the treaty and contains, as will be observed, specific guaranties to the citizens of Spain not only if they become citizens of this country, but if they retain their Spanish citizenship. It reads:

Spanish subjects, natives of the peninsula, residing in the territory over which Spain by the present treaty relinquishes or cedes her sovereignty, may remain in such territory or may remove therefrom, retaining in either event all their rights of property, including the right to sell or dispose of such property or of its proceeds; and they shall have the right to carry on their industry, commerce, and professions, being subject in respect thereof to such laws as are applicable to other foreigners. In case they remain in the territory they may preserve their allegiance to the Crown of Spain by making, before a court of record, within a year from the date of the exchange of rati-

fications of this treaty, a declaration of their decision to preserve such allegiance; in default of which declaration they shall be held to have renounced it and to have adopted the nationality of the territory in which they may reside.

In that connection I wish to say, in addition to the very clear statement made by the gentleman from Ohio, Dr. Fess, that the inhabitants of Porto Rico are not having citizenship forced upon them, that they had the opportunity for one year after the signing of this treaty to retain their Spanish citizenship. I think it is quite important to keep that in mind. They may now renounce their citizenship to the United States if they wish to do so, and there was at least one year within which they might have retained their citizenship in Spain.

Mr. HUDDLESTON. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of North Dakota. Certainly.

Mr. HUDDLESTON. That applies to the Spanish-born persons alone, does it not, and not to Porto Rican born?

Mr. YOUNG of North Dakota. I am not prepared to say that it does.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. YOUNG of North Dakota. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing the entire treaty of Paris and also the protocol which preceded it and the subsequent treaty by which the island of Cagayan Sulu and other small islands were purchased from Spain.

The CHAIRMAN. The gentleman from North Dakota asks unanimous consent to extend his remarks in the RECORD by printing certain documents. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. Mr. Chairman, I ask unanimous consent that the gentleman may have the first five minutes he otherwise would have after the bill is taken up for amendment.

The CHAIRMAN. The Chair thinks that that would be establishing a bad precedent.

Mr. STAFFORD. The Chair can not entertain such a motion.

Mr. MILLER of Minnesota. But the Chair did entertain such a motion.

Mr. MURRAY. Oh, that was for Uncle Joe, and anything goes as to him.

Mr. MILLER of Minnesota. I ask unanimous consent that time for general debate be extended so that the gentleman from North Dakota may have five more minutes.

The CHAIRMAN. The time was fixed by the House, and the committee has no power to extend it.

The treaties referred to are as follows:

1898.

PROTOCOL OF AGREEMENT EMBODYING THE TERMS OF A BASIS FOR THE ESTABLISHMENT OF PEACE BETWEEN THE UNITED STATES AND SPAIN.

Signed August 12, 1898.

ARTICLES.

- I. Relinquishment of title to Cuba.
- II. Cession of Porto Rico, etc.
- III. Occupation of Manila.
- IV. Evacuation by Spain.
- V. Appointment of commissioners.
- VI. Hostilities to cease.

PROTOCOL.

William R. Day, Secretary of State of the United States, and His Excellency Jules Cambon, ambassador extraordinary and plenipotentiary of the Republic of France at Washington, respectively possessing for this purpose full authority from the Government of the United States and the Government of Spain, have concluded and signed the following articles, embodying the terms on which the two Governments have agreed in respect to the matters hereinafter set forth, having in view the establishment of peace between the two countries; that is to say:

ARTICLE I.

Spain will relinquish all claim of sovereignty over and title to Cuba.

ARTICLE II.

Spain will cede to the United States the island of Porto Rico and other islands now under Spanish sovereignty in the West Indies, and also an island in the Ladrões to be selected by the United States.

ARTICLE III.

The United States will occupy and hold the city, bay, and harbor of Manila, pending the conclusion of a treaty of peace which shall determine the control, disposition, and government of the Philippines.

ARTICLE IV.

Spain will immediately evacuate Cuba, Porto Rico, and other islands now under Spanish sovereignty in the West Indies; and to this end each Government will, within 10 days after the signing of this protocol, appoint commissioners, and the commissioners so appointed shall, within 30 days after the signing of this protocol, meet at Havana for the purpose of arranging and carrying out the details of the aforesaid evacuation of Cuba and the adjacent Spanish islands; and each Government will, within 10 days after the signing of this protocol, also appoint other commissioners, who shall, within 30 days after the signing of this protocol, meet at San Juan, in Porto Rico, for the purpose of arranging and carrying out the details of the aforesaid evacuation of Porto Rico and other islands now under Spanish sovereignty in the West Indies.

ARTICLE V.

The United States and Spain will each appoint not more than five commissioners to treat of peace, and the commissioners so appointed

shall meet at Paris not later than October 1, 1898, and proceed to the negotiation and conclusion of a treaty of peace, which treaty shall be subject to ratification according to the respective constitutional forms of the two countries.

ARTICLE VI.

Upon the conclusion and signing of this protocol, hostilities between the two countries shall be suspended, and notice to that effect shall be given as soon as possible by each Government to the commanders of its military and naval forces.

Done at Washington in duplicate, in English and in French, by the undersigned, who have hereunto set their hands and seals, the 12th day of August, 1898.

[SEAL.]
[SEAL.]

WILLIAM R. DAY.
JULES CAMBON.

1898.

TREATY OF PEACE.

(Federal cases: *Oteiza v. Jacobus* (136 U. S., 330), *Duly v. U. S.* (182 U. S., 222; 183 U. S., 151), *Delima v. Bidwell* (182 U. S., 1), *Goetze v. U. S.* (182 U. S., 221; 103 Fed. Rep., 72), *Armstrong v. U. S.* (182 U. S., 243), *Downes v. Bidwell* (182 U. S., 244), *Hauns v. New York and Porto Rico Company* (182 U. S., 332), *Crossman v. U. S.* (182 U. S., 221), *Pepke v. U. S.* (183 U. S., 176), *J. Ribas Hijo v. U. S.* (194 U. S., 315), *Derr v. U. S.* (195 U. S., 138), *Bosque v. U. S.* (209 U. S., 91), *Ponce v. Roman Catholic Church* (210 U. S., 296), *Valdes v. Munich* (212 U. S., 568), *Cabalios v. U. S.* (214 U. S., 47), *Castro v. Uriarte* (12 Fed. Rep., 250; 16 Fed. Rep., 93), *In re Cortes* (42 Fed. Rep., 47), *Ex parte Ortiz* (100 Fed. Rep., 955), *Armstrong v. Bidwell* (124 Fed. Rep., 690), *De Pass v. Bidwell* (124 Fed. Rep., 618), *Sugar Company v. Bidwell* (124 Fed. Rep., 677 [683]), *Howell v. Bidwell* (124 Fed. Rep., 688), *De Canevara v. Brooke* (135 Fed. Rep., 144).)

Concluded at Paris December 10, 1898; ratification advised by the Senate February 6, 1899; ratified by the President February 6, 1899; ratifications exchanged April 11, 1899; proclaimed April 11, 1899.

ARTICLES.

- I. Relinquishment of Cuba.
- II. Cession of Porto Rico, Guam, etc.
- III. Cession of Philippine Islands.
- IV. Spanish trade with the Philippines.
- V. Return of Spanish soldiers from Manila; evacuation of Philippines and Guam.
- VI. Release of prisoners.
- VII. Relinquishment of claims.
- VIII. Property relinquished and ceded.
- IX. Property and civil rights of persons in ceded territory.
- X. Religious freedom.
- XI. Legal rights in ceded or relinquished territory.
- XII. Determination of pending judicial proceedings.
- XIII. Privileges of copyrights and patents preserved in ceded territories.
- XIV. Consular privileges.
- XV. Mutual privileges of shipping charges.
- XVI. Obligations of Cuba.
- XVII. Ratification.

The United States of America and Her Majesty the Queen Regent of Spain, in the name of her august son Don Alfonso XIII, desiring to end the state of war now existing between the two countries, have for that purpose appointed as plenipotentiaries:

The President of the United States,
William R. Day, Cushman K. Davis, William P. Frye, George Gray, and Whitelaw Reid, citizens of the United States;
And Her Majesty the Queen Regent of Spain,
Don Eugenio Montero Rios, president of the senate, Don Buenaventura de Abarzuza, senator of the Kingdom and ex minister of the Crown; Don José de Garnica, deputy to the Cortes and associate justice of the supreme court; Don Wenceslao Ramirez de Villa-Urrutia, envoy extraordinary and minister plenipotentiary at Brussels; and Don Rafael Cerero, general of division;

Who, having assembled in Paris, and having exchanged their full powers, which were found to be in due and proper form, have, after discussion of the matters before them, agreed upon the following articles:

ARTICLE I.

Spain relinquishes all claim of sovereignty over and title to Cuba. And as the island is, upon its evacuation by Spain, to be occupied by the United States, the United States will, so long as such occupation shall last, assume and discharge the obligations that may under international law result from the fact of its occupation, for the protection of life and property.

ARTICLE II.

Spain cedes to the United States the island of Porto Rico and other islands now under Spanish sovereignty in the West Indies, and the island of Guam (in the Marianas or Ladrões).

ARTICLE III.

Spain cedes to the United States the archipelago known as the Philippine Islands, and comprehending the islands lying within the following lines:

A line running from west to east along or near the twentieth parallel of north latitude, and through the middle of the navigable channel of Bachi, from the one hundred and eighteenth (118th) to the one hundred and twenty-seventh (127th) degree meridian of longitude east of Greenwich, thence along the one hundred and twenty-seventh (127th) degree meridian of longitude east of Greenwich to the parallel of four degrees and forty-five minutes (4° 45') north latitude, thence along the parallel of four degrees and forty-five minutes (4° 45') north latitude to its intersection with the meridian of longitude one hundred and nineteen degrees and thirty-five minutes (119° 35') east of Greenwich, thence along the meridian of longitude one hundred and nineteen degrees and thirty-five minutes (119° 35') east of Greenwich to the parallel of latitude seven degrees and forty minutes (7° 40') north, thence along the parallel of latitude of seven degrees and forty minutes (7° 40') north to its intersection with the one hundred and sixteenth (116th) degree meridian of longitude east of Greenwich, thence by a direct line to the intersection of the tenth (10th) degree parallel of north latitude with the one hundred and eighteenth (118th) degree meridian of longitude east of Greenwich, and thence along the one hundred and eighteenth (118th) degree meridian of longitude east of Greenwich to the point of beginning.

The United States will pay to Spain the sum of twenty million dollars (\$20,000,000) within three months after the exchange of the ratifications of the present treaty.

ARTICLE IV.

The United States will, for the term of 10 years from the date of the exchange of the ratifications of the present treaty, admit Spanish ships and merchandise to the ports of the Philippine Islands on the same terms as ships and merchandise of the United States.

ARTICLE V.

The United States will, upon the signature of the present treaty, send back to Spain, at its own cost, the Spanish soldiers taken as prisoners of war on the capture of Manila by the American forces. The arms of the soldiers in question shall be restored to them.

Spain will, upon the exchange of the ratifications of the present treaty, proceed to evacuate the Philippines, as well as the island of Guam, on terms similar to those agreed upon by the commissioners appointed to arrange for the evacuation of Porto Rico and other islands in the West Indies, under the protocol of August 12, 1898, which is to continue in force till its provisions are completely executed.

The time within which the evacuation of the Philippine Islands and Guam shall be completed shall be fixed by the two Governments. Stands of colors, unaptured war vessels, small arms, guns of all calibers, with their carriages and accessories, powder, ammunition, live stock, and materials and supplies of all kinds, belonging to the land and naval forces of Spain in the Philippines and Guam, remain the property of Spain. Pieces of heavy ordnance, exclusive of field artillery, in the fortifications and coast defenses, shall remain in their emplacements for the term of six months, to be reckoned from the exchange of ratifications of the treaty; and the United States may, in the meantime, purchase such material from Spain, if a satisfactory agreement between the two Governments on the subject shall be reached.

ARTICLE VI.

Spain will, upon the signature of the present treaty, release all prisoners of war, and all persons detained or imprisoned for political offenses, in connection with the insurrections in Cuba and the Philippines and the war with the United States.

Reciprocally the United States will release all persons made prisoners of war by the American forces, and will undertake to obtain the release of all Spanish prisoners in the hands of the insurgents in Cuba and the Philippines.

The Government of the United States will at its own cost return to Spain and the Government of Spain will at its own cost return to the United States, Cuba, Porto Rico, and the Philippines, according to the situation of their respective homes, prisoners released or caused to be released by them, respectively, under this article.

ARTICLE VII.

The United States and Spain mutually relinquish all claims for indemnity, national and individual, of every kind, of either Government, or of its citizens or subjects, against the other Government that may have arisen since the beginning of the late insurrection in Cuba and prior to the exchange of ratifications of the present treaty, including all claims for indemnity for the cost of the war.

The United States will adjudicate and settle the claims of its citizens against Spain relinquished in this article.

ARTICLE VIII.

In conformity with the provisions of Articles I, II, and III of this treaty, Spain relinquishes in Cuba, and cedes in Porto Rico and other islands of the West Indies, in the island of Guam, and in the Philippine Archipelago, all the buildings, wharves, barracks, forts, structures, public highways, and other immovable property which, in conformity with law, belong to the public domain, and as such belong to the Crown of Spain.

And it is hereby declared that the relinquishment or cession, as the case may be, to which the preceding paragraph refers, can not in any respect impair the property rights which by law belong to the peaceful possession of property of all kinds, of provinces, municipalities, public or private establishments, ecclesiastical or civic bodies, or any other associations having legal capacity to acquire and possess property in the aforesaid territories renounced or ceded, or of private individuals, of whatsoever nationality such individuals may be.

The aforesaid relinquishment or cession, as the case may be, includes all documents exclusively referring to the sovereignty relinquished or ceded that may exist in the archives of the Peninsula. Where any document in such archives only in part relates to said sovereignty, a copy of such part will be furnished whenever it shall be requested. Like rules shall be reciprocally observed in favor of Spain in respect of documents in the archives of the islands above referred to.

In the aforesaid relinquishment or cession, as the case may be, are also included such rights as the Crown of Spain and its authorities possess in respect of the official archives and records, executive as well as judicial, in the islands above referred to, which relate to said islands or the rights and property of their inhabitants. Such archives and records shall be carefully preserved, and private persons shall without distinction have the right to require, in accordance with law, authenticated copies of the contracts, wills, and other instruments forming part of notarial protocols or files, or which may be contained in the executive or judicial archives, be the latter in Spain or in the islands aforesaid.

ARTICLE IX.

Spanish subjects, natives of the Peninsula, residing in the territory over which Spain by the present treaty relinquishes or cedes her sovereignty, may remain in such territory or may remove therefrom, retaining in either event all their rights of property, including the right to sell or dispose of such property or of its proceeds; and they shall also have the right to carry on their industry, commerce, and professions, being subject in respect thereof to such laws as are applicable to other foreigners. In case they remain in the territory they may preserve their allegiance to the Crown of Spain by making, before a court of record, within a year from the date of the exchange of ratifications of this treaty, a declaration of their decision to preserve such allegiance; in default of which declaration they shall be held to have renounced it and to have adopted the nationality of the territory in which they may reside.

The civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress.

ARTICLE X.

The inhabitants of the territories over which Spain relinquishes or cedes her sovereignty shall be secured in the free exercise of their religion.

ARTICLE XI.

The Spaniards residing in the territories over which Spain by this treaty cedes or relinquishes her sovereignty shall be subject in matters civil as well as criminal to the jurisdiction of the courts of the country wherein they reside, pursuant to the ordinary laws governing the same; and they shall have the right to appear before such courts, and to pursue the same course as citizens of the country to which the courts belong.

ARTICLE XII.

Judicial proceedings pending at the time of the exchange of ratifications of this treaty in the territories over which Spain relinquishes or cedes her sovereignty shall be determined according to the following rules:

1. Judgments rendered either in civil suits between private individuals, or in criminal matters, before the date mentioned, and with respect to which there is no recourse or right of review under the Spanish law, shall be deemed to be final, and shall be executed in due form by competent authority in the territory within which such judgments should be carried out.

2. Civil suits between private individuals which may on the date mentioned be undetermined shall be prosecuted to judgment before the court in which they may then be pending or in the court that may be substituted therefor.

3. Criminal actions pending on the date mentioned before the Supreme Court of Spain against citizens of the territory which by this treaty ceases to be Spanish shall continue under its jurisdiction until final judgment; but, such judgment having been rendered, the execution thereof shall be committed to the competent authority of the place in which the case arose.

ARTICLE XIII.

The rights of property secured by copyrights and patents acquired by Spaniards in the island of Cuba and in Porto Rico, the Philippines, and other ceded territories, at the time of the exchange of the ratifications of this treaty, shall continue to be respected. Spanish scientific, literary, and artistic works, not subversive of public order in the territories in question, shall continue to be admitted free of duty into such territories, for the period of 10 years, to be reckoned from the date of the exchange of the ratifications of this treaty.

ARTICLE XIV.

Spain shall have the power to establish consular officers in the ports and places of the territories, the sovereignty over which has been either relinquished or ceded by the present treaty.

ARTICLE XV.

The Government of each country will, for the term of 10 years, accord to the merchant vessels of the other country the same treatment in respect of all port charges, including entrance and clearance dues, light dues, and tonnage duties, as it accords to its own merchant vessels, not engaged in the coastwise trade.

This article may at any time be terminated on six months' notice given by either Government to the other.

ARTICLE XVI.

It is understood that any obligations assumed in this treaty by the United States with respect to Cuba are limited to the time of its occupancy thereof; but it will upon the termination of such occupancy, advise any Government established in the island to assume the same obligations.

ARTICLE XVII.

The present treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by Her Majesty the Queen Regent of Spain; and the ratifications shall be exchanged at Washington within six months from the date hereof, or earlier if possible.

In faith whereof, we, the respective plenipotentiaries, have signed this treaty and have hereunto affixed our seals.

Done in duplicate at Paris, the 10th day of December, A. D. 1898.

[SEAL.]	WILLIAM R. DAY.
[SEAL.]	CUSHMAN K. DAVIS.
[SEAL.]	WILLIAM P. FRYE.
[SEAL.]	GEO. GRAY.
[SEAL.]	WHITELEW REID.
[SEAL.]	EUGENIO MONTERO RIOS.
[SEAL.]	B. DE ABARZUA.
[SEAL.]	J. DE GARNICA.
[SEAL.]	W. R. DE VILLA URRUTIA.
[SEAL.]	RAFAEL CERERO.

1900.

PROTOCOL WITH SPAIN EXTENDING THE PERIOD DURING WHICH SPANISH SUBJECTS, NATIVES OF THE PHILIPPINE ISLANDS, MAY DECLARE THEIR INTENTION TO RETAIN THEIR SPANISH NATIONALITY.

Concluded March 29, 1900; advice and consent of the Senate April 27, 1900; proclaimed April 28, 1900.

ARTICLE.

Extension.

Whereas by the ninth article of the treaty of peace between the United States of America and the Kingdom of Spain, signed at Paris on December 10, 1898, it was stipulated and agreed that Spanish subjects, natives of the Peninsula, remaining in the territory over which Spain by articles 1 and 2 of the said treaty relinquished or ceded her sovereignty could preserve their allegiance to the Crown of Spain by making before a court of record within a year from the date of the exchange of ratifications of said treaty, a declaration of their decision to preserve such allegiance;

And whereas the two high contracting parties are desirous of extending the time within which such declaration may be made by Spanish subjects, natives of the Peninsula, remaining in the Philippine Islands:

The undersigned plenipotentiaries, in virtue of their full powers, have agreed upon and concluded the following article:

SOLE ARTICLE.

The period fixed in article 9 of the treaty of peace between the United States and Spain, signed at Paris on the 10th day of December, 1898, during which Spanish subjects, natives of the Peninsula, may declare before a court of record their intention to retain their Spanish nationality, is extended as to the Philippine Islands for six months beginning April 11, 1900.

In witness whereof, the respective plenipotentiaries have signed the same and have thereunto affixed their seals.

Done in duplicate at Washington the 29th day of March, A. D. 1900.

JOHN HAY.
ARCOS.

1900.

TREATY FOR CESSION OF OUTLYING ISLANDS OF THE PHILIPPINES.

Concluded November 7, 1900; ratification advised by Senate January 22, 1901; ratified by the President January 30, 1901; ratifications exchanged March 23, 1901; proclaimed March 23, 1901.

ARTICLE.

Relinquishment of islands to the United States.

The United States of America and Her Majesty the Queen Regent of Spain, in the name of Her August Son, Don Alfonso XIII, desiring to remove any ground of misunderstanding growing out of the interpretation of article 3 of the treaty of peace concluded between them at Paris the 10th day of December, 1898, whereby Spain cedes to the United States the archipelago known as the Philippine Islands and comprehending the islands lying within certain described lines, and having resolved to conclude a treaty to accomplish that end, have for that purpose appointed as their respective plenipotentiaries:

The President of the United States, John Hay, Secretary of State of the United States;

And Her Majesty the Queen Regent of Spain, the Duke de Arcos, envoy extraordinary and minister plenipotentiary of Spain to the United States;

Who, having met in the city of Washington and having exchanged their full powers, which were found to be in due and proper form, have agreed upon the following sole article:

SOLE ARTICLE.

Spain relinquishes to the United States all title and claim of title, which she may have had at the time of the conclusion of the treaty of peace of Paris, to any and all islands belonging to the Philippine Archipelago, lying outside the lines described in article 3 of that treaty, and particularly to the islands of Cagayan Sulu and Sibutu and their dependencies, and agrees that all such islands shall be comprehended in the cession of the Archipelago as fully as if they had been expressly included within those lines.

The United States, in consideration of this relinquishment, will pay to Spain the sum of \$100,000 within six months after the exchange of the ratifications of the present treaty.

The present treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by Her Majesty the Queen Regent of Spain, after approval by the Cortes of the Kingdom, and the ratifications shall be exchanged at Washington as soon as possible.

In faith whereof we, the respective plenipotentiaries, have signed this treaty and have hereunto affixed our seals.

Done in duplicate at the city of Washington the 7th day of November, in the year of our Lord 1900.

JOHN HAY. [SEAL.]
ARCOS. [SEAL.]

Mr. TOWNER. Mr. Chairman, I yield six minutes to the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL. Mr. Chairman, I am very glad to have an opportunity to support this bill. I congratulate the American people upon finally doing tardy justice to the people of Porto Rico. The people of Porto Rico have been without citizenship since they were denied the right of citizenship in Spain. They owe no allegiance except to Porto Rico, and that island is not a sovereign government. This bill gives them American citizenship. I am glad this bill provides for an elective legislature in both branches. I have seen the Legislature of Porto Rico in session. I have seen the kind of men who with unlimited male enfranchisement the people of Porto Rico elect to their lower house. They are as fine a body of men as you will see anywhere, well educated, well equipped for the business of legislators. I have examined the laws introduced in the lower house of the Porto Rican Legislature and the laws passed by the lower house. Two things challenged my attention to those laws. First, they are willing to tax themselves at a high rate for educational purposes. Second, they are willing to tax themselves to the limit of their ability to pay for the purpose of internal improvements and good roads, two evidences that they are very well qualified to take part in their own government. I am glad they have become citizens of the United States. They are entitled to it and the people of the United States are entitled to have them brought in as members of the American family. They have been in the anomalous position they now occupy ever since the War with Spain. This will give them an opportunity to become American citizens, with the right of electing their own legislature in both branches. My judgment is that within two years after the enactment of this law and after their participation in the government under it there will be little or nothing said about the severance of relations with the United States. They will become satisfied with their relations to this country, having become citizens of the country.

Mr. MEEKER. Will the gentleman yield?

Mr. CAMPBELL. No; I have not the time. It is doubtful if any people ever made improvement in every way in which a people can improve such as the people of Porto Rico have made in the last 16 years. They have improved physically; their health is better; they have improved materially to a marvelous extent. They have improved their education. Facilities are now furnished in every part of the island and the children are expected to attend the public schools. They have improved the general standard of their citizenship. I would be very glad to see Porto Rico a Territory of the United States under the Constitution of the United States. I do not agree with the idea that simply because they are not exactly like us in Kansas or Illinois or Iowa or Alabama that they should be denied a constitutional status under the Constitution of the United States. I have said to Porto Ricans in Porto Rico that, though enjoying a Territorial form of Government, they might have to wait years and years before they could expect statehood. The Territories of Arizona and New Mexico remained Territories for 60 years. Other Territories have waited long for statehood, but a Territory is a constitutional government in the United States, and I should be glad sometime to see the island of Porto Rico come in as a Territory of the United States.

Mr. SLAYDEN. Will the gentleman yield for a question?

The CHAIRMAN. The time of the gentleman has expired.

Mr. JONES. Mr. Chairman, I yield two minutes to the gentleman from Porto Rico [Mr. RIVERA].

Mr. RIVERA. Mr. Chairman, I will not enter into an argument with the gentleman from Illinois [Mr. CANNON]. It would be a very difficult position for me, owing to the high standing of the gentleman from Illinois in this House and throughout the country, and, besides, I have not sufficient time to discuss these matters, because the time allowed for debate on the bill is almost exhausted. However, I want to say that the question appears to some gentlemen here to be only a geographical question, a climatic question. I suppose that, in the judgment of the House of Representatives, the question should be considered as a political question. The House wants and the Congress wants to constitute Porto Rico as a free people, a people under a republican form of government. As regards the Porto Ricans, this is a question of patriotism. They want to be free. They want to be dignified. They do not want to be enslaved by the United States or by any other nation in the world. It is my custom to respect the love of every man for his country and to exact the same respect for my own sentiments of patriotism. I believe that under the dome of this Capitol the Representatives of a great people, undoubtedly the greatest of all, must be just to other people on the earth. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. RIVERA. Can the gentleman from Virginia give me one minute more?

Mr. JONES. I am sorry I can not. The gentleman desired only two minutes, and I did not reserve any more time than that.

Mr. RUSSELL of Missouri. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more, if he wants the time, not to affect the order already made.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the gentleman from Porto Rico have five minutes—

Mr. MILLER of Minnesota. Mr. Chairman, I am perfectly willing the gentleman should have that if there is coupled with it the request that the gentleman from North Dakota [Mr. Young] have five minutes. A similar request was made on his behalf a moment ago.

Mr. SLAYDEN. Mr. Chairman, regular order.

Mr. MANN. The request can not be granted—but I believe it can be.

Mr. RUSSELL of Missouri. Mr. Chairman, if there is no objection—

Mr. RIVERA. I only want one minute.

Mr. JONES. Mr. Chairman, I yield the gentleman one minute.

Mr. CLARK of Florida. Mr. Chairman, the House has made an order limiting the time for debate; can the committee change that order?

The CHAIRMAN. Without objection, under the circumstances the gentleman will be recognized for five minutes.

Mr. JONES. I yield one minute to the gentleman.

Mr. SLAYDEN. Mr. Chairman, what is the status?

The CHAIRMAN. That the gentleman shall have five minutes.

Mr. SLAYDEN. Can you do that in the Committee of the Whole after an order of the House, Mr. Chairman?

Mr. MANN. Do not raise the question.

Mr. SLAYDEN. The gentlemen can have it later in the debate. I insist upon the rule.

Mr. JONES. Mr. Chairman, the gentleman asks for only one minute, and I yield that to him.

Mr. RIVERA. Mr. Chairman, Porto Rico, deprived of its national sovereignty, depends upon the generosity and chivalry of the American lawmakers. I consider it very unfortunate that a Porto Rican is obliged to hear on this floor remarks offensive to the dignity of his native land. I do not wish to answer such remarks, except to state that it is not our fault that we are compelled to come here and ask for the enactment of legislation, of a constitution, which should be our undeniable right to make, according to American principles, ourselves. I must conclude, declaring emphatically that I am as proud to be a Porto Rican as the gentleman from Illinois [Mr. CANNON] is proud of being an Illinoisan, and as every gentleman on this floor is proud to be an American. [Applause.]

Mr. JONES. How does the time stand, Mr. Chairman?

The CHAIRMAN. The gentleman from Virginia [Mr. JONES] has two minutes remaining.

Mr. JONES. And the gentleman from Iowa?

The CHAIRMAN. And the gentleman from Iowa has none.

Mr. JONES. Mr. Chairman, the gentleman from Illinois [Mr. CANNON] is the only gentleman on this floor who has opposed the citizenship provision of this bill. It is my opinion that should this bill be passed without the section conferring American citizenship upon the Porto Ricans they would nevertheless become citizens of the United States.

Section 1891 of the Revised Statutes of 1878 provides that the Constitution and the laws of the United States not locally inapplicable shall have the same force and effect in the organized Territories of the United States that they have in every other section of the United States; and Porto Rico will certainly become an organized Territory under the provisions of this bill, if it is not now one. I desire to say, further, that both the great political parties of this country have declared in favor of American citizenship for the people of Porto Rico. The Republican platform of 1908 declared:

We believe that the native inhabitants of Porto Rico should be at once made collectively citizens of the United States, and that all others properly qualified under existing law residing in said island should have the privilege of becoming naturalized.

That is exactly what this bill does.

The CHAIRMAN. The time of the gentleman from Virginia has expired, and the Clerk will read:

The Clerk read as follows:

Be it enacted, etc., That the provisions of this act shall apply to the island of Porto Rico and to the adjacent islands belonging to the United States and waters of those islands; and the name Porto Rico as used in this act shall be held to include not only the island of that name but all the adjacent islands as aforesaid.

Mr. YOUNG of North Dakota. Mr. Chairman, I move to strike out the last word for the purpose of getting the five minutes additional which I believe the House was willing to grant a few minutes ago if the rules had permitted.

I was making a brief analysis of the treaty of Paris and had reached Article IX. Articles IX, X, and XI furnish what might be called a bill of rights in this treaty. I call your attention again particularly to these words found in Article IX, referring to the Spanish subjects:

Retaining in either event all their rights of property, including the right to sell or dispose of such property or of its proceeds; and they shall also have the right to carry on their industry, commerce, and professions.

This is a specific guaranty which we gave to the Spanish subjects.

I call your attention to the fact that a speaker during the recent debate a few days ago stated that we made no specific guaranties to Spain. Now, to give this treaty a fair interpretation, every article ought to have read into it or supplied the words that it applies particularly to Spain, because Spain is a contracting party.

Article X says:

The inhabitants of the territories over which Spain relinquishes or cedes her sovereignty shall be secured in the free exercise of their religion.

Here is used the word "inhabitants." Now, does anyone question that this word does not include the citizens of Spain when Spain was a party to this treaty? Spain would not and did not sign a treaty that did not take care of her citizens, and, I think, in that respect is rather distinguished from the action that was proposed here a few days ago when the majority leaders did not take any pains to protect our own American-born citizens who were residing in and engaged in business in the Philippine Islands.

Article XI provides:

The Spaniards residing in the territories over which Spain by this treaty cedes or relinquishes her sovereignty shall be subject in matters civil as well as criminal to the jurisdiction of the courts of the country wherein they reside, pursuant to the ordinary laws governing the same; and they shall have the right to appear before such court and to pursue the same course as citizens of the country to which the courts belong.

By this article they are guaranteed a fair trial in the courts. Article XII has to do with judicial proceedings pending at the time of the exchange of ratifications of the treaty. Article XIII provides that the copyrights and patents acquired by Spaniards shall continue to be respected.

Article XIV provides that—

Spain shall have the power to establish consular officers in the ports or territories, the sovereignty over which has been either relinquished or ceded by the present treaty.

Article XV provides for a mutual agreement as to port charges for 10 years.

Notice particularly the reading of Article XVI as to what time limit in respect to guaranties there is covering Porto Rico, which we are legislating for now, and also the Philippines. It reads:

It is understood that any obligations assumed in this treaty by the United States with respect to Cuba are limited to the time of its occupancy thereof.

There is absolutely no such limitation, no such language, used in this treaty as regards Porto Rico or the Philippines.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. YOUNG of North Dakota. Certainly.

Mr. MILLER of Minnesota. By every principle of statutory construction the restriction made there expresses the intention that the obligation assumed by the United States in regard to Porto Rico and the Philippines are forever.

Mr. YOUNG of North Dakota. Certainly. There is no time limit on the guaranties made between this Government and Spain expressed in the treaty. When no limit was expressed it would, according to the accepted rules of construction, apply for all time; but the intention of those who drew this treaty was clearly indicated and emphasized by the fact that they went out of their way in two different places in the treaty to call attention to the fact that guaranties would not apply to Cuba excepting during the period of our occupation.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

[By unanimous consent Mr. YOUNG of North Dakota was granted five minutes additional.]

Mr. YOUNG of North Dakota. Those who drafted this treaty took pains in at least two different portions of the treaty to call attention to the fact that in respect to the island of Cuba our guarantee should be limited to the period of our occupancy. Article I reads as follows—

Mr. BORLAND. Mr. Chairman, will the gentleman yield there?

Mr. YOUNG of North Dakota. Certainly.

Mr. BORLAND. The gentleman is not contending that the sovereignty of the United States over the Philippine Islands is in any degree limited or conditional in such a way as would prevent us from making any disposition of the islands that we saw fit?

Mr. YOUNG of North Dakota. No; perhaps not, so far as our power is concerned, but what I am contending is that when we acquired title, or when these islands or possessions were ceded to us, we assumed certain obligations; we obligated ourselves in this treaty of Paris to do certain things. We extended here certain guarantees to the citizens of Spain, and we can not honorably do anything now which will violate these guarantees, these covenants, that were placed in this treaty in favor of Spain as well as other countries. We can not in honor treat this treaty as "a scrap of paper."

Mr. BORLAND. I am asking the gentleman about the legal right. Is our legal right limited to dispose of the islands as our Government desires?

Mr. YOUNG of North Dakota. Perhaps not, but I should suppose that both sides of the House would want to go further than what our merely legal rights call for. Some day the Supreme Court may pass upon the right of Congress to cede to others the Philippines or Porto Rico. The citizens of these islands may ask the courts to determine what their rights are, and protect them.

Mr. KENT. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from North Dakota yield to the gentleman from California?

Mr. YOUNG of North Dakota. Yes.

Mr. KENT. Is it the gentleman's position that we can not afford to let go the bear's tail?

Mr. YOUNG of North Dakota. That is not my position. This discussion was provoked by the statement of the gentleman from Tennessee [Mr. GARRETT], that there were no specific guaranties in the treaty of Paris made to the citizens of Spain excepting certain minor ones mentioned by him. That is the only excuse I have for discussing this question at this time. It seems to me I have demonstrated that the contrary is true, and unless some one questions this I am ready to yield the floor.

Mr. BORLAND rose.

Mr. YOUNG of North Dakota. I yield to the gentleman from Missouri.

Mr. BORLAND. Mr. Chairman, if the gentleman yields the floor I want to move to strike out the last word.

Mr. PARKER of New Jersey. I want to take the floor.

Mr. SLAYDEN. Mr. Chairman, I have been interested in every effort that has been made to advance the political status of the people of Porto Rico since the series of events that occurred in 1898, by which we acquired authority over the island. I have likewise, Mr. Chairman, been equally interested in efforts to exercise control over and possibly advance the political interests of the Philippine Islands. This effort at legislation is an illustration of the embarrassments that come to us and will abide with us until we, as I see it, decide to do the right thing, inasmuch as we did the wrong and un-American thing in 1898.

Now, I have only the kindest feelings for the people of Porto Rico, as I have for those of the Philippine Islands. I have not qualified myself, as some Members think they have, to speak as an expert by brief visits to either of those possessions; but, Mr. Speaker, a comprehension of the fundamental American principles can be achieved by an individual of ordinary common sense without having studied the people and the territories on the spot. I believe as firmly, sir, as I do that I am speaking to you now, that if we persist in the retention of the Philippine Islands the time will come, and should come, when there will be a proportionate representation in this House and in the other body from those islands. I believe that the time will come, if we continue to exercise control over them, unless we frankly abandon American fundamental principles, when Porto Rico will have her Representatives and her Senators in the Congress of the United States.

And I want to say to some gentlemen, many of whom I have heard advance the idea since I have been acquainted with public life and public men—that we ought to have and exercise control over Mexico—that, if it is ever done, in all human probability we will have in a few years, and should have, 52 Senators from that country—Yaquis, perhaps, or from some other tribe of Indians down there—contributing to the legislation of this great Republic, helping to direct the destinies of an Anglo-Saxon people. For these profound reasons, Mr. Chairman, I have always been in favor of conceding to the people of the Philippine Islands the same privileges that I claim for myself—the right to absolute independence.

I read in the New York Sun yesterday an exceedingly interesting article, said to have been the last one written by Mr. Pearse, who was president of the "Irish Republic," which had such a troubled existence for a week or so and then went out in tragedy. Mr. Pearse, speaking of a pronouncement of Wolfe Tone, who figured as an Irish patriot in the last part of the eighteenth century, stated that the declaration of principles of Wolfe Tone expressed those in which the Irish people believed. It was the manifesto of the Irish people, he said, and the best possible statement of their demand for recognition as a self-governing people; and he based it on the human right to be independent. Mr. Chairman, I believe in that doctrine, and I have the courage of my convictions, and I am willing to apply it to this case. I believe in the human right of all people to be free and independent. I claim it for myself; I cheerfully concede it to others.

Mr. GARNER. Mr. Chairman, will my colleague yield?

Mr. SLAYDEN. Yes.

Mr. GARNER. Does the gentleman apply the same rule to Porto Rico as to the Philippines?

Mr. SLAYDEN. No. As I said, that is one of the embarrassments connected with this question. But, I may say to my colleague, when the Porto Ricans with substantial unanimity ask for it, I will be glad to do my part to secure freedom for them. It will be more satisfactory to them and immeasurably better for us.

Mr. BORLAND. Mr. Chairman, I belong to a political party which believes in the largest measure of local self-government that is consistent with national safety. I am very glad to be able to favor this bill, somewhat belated, to do justice to the people of Porto Rico. I believe that they are entitled now to a

larger measure of self-government and participation in their own affairs.

Three years ago last March I had the pleasure of visiting that island, soon after the inauguration of the present administration, and I doubt not that the conditions have improved even since that time. But at that time I was thoroughly convinced that the great mass of citizens of that island was entitled to American citizenship and entitled to a large measure of home rule.

I have always believed that it was a mistake for our country to hold any dependencies upon a lower level of political rights than those of our own country. I believe it is a mistake for any republic to undertake to do so. I believe that a country which can be incorporated into a republic and which can look forward to an equality of political rights and a unity of interests is a distinct strengthening of the prosperity and unity of the Republic, but a dependency which looks forward to no unity of political rights and no equality with the dominant country is a source of weakness and danger.

I look forward to the time when the island of Porto Rico will not only be an organized Territory of the Union but will be well on the way toward being one of the sovereign States of the American Nation. It is sufficiently contiguous to our shores, sufficiently like us in most respects, and sufficiently able to bring itself up to the political standard of the average State of the American Union to be entitled to look forward to such recognition.

I do not believe there ought ever to have been, except in the temporary law, which was to have been only temporary for the government of Porto Rico, a distinction between citizenship of Porto Rico and citizenship of the United States. I can not quite conceive of such a thing as a citizenship of Porto Rico or any other country which is denied complete sovereignty. It simply means a denial of citizenship; and it puts those people in the position, if they have any local patriotism and political ambition or aspirations at all, of looking toward a division of political powers and a separation from the United States. I believe that if we will invite them in and make them citizens of this country, and let them see that our industrial problems are their industrial problems and that our political problems are their political problems, we shall have the politics of Porto Rico not founded upon local issues distinct and separate there, but a participation, and a loyal participation, by the Porto Ricans in the great problems of the American Republic itself. I am satisfied that they have both the capacity and the desire to enter as a loyal and integral part of the great American Republic. I think the time has come when they should have the right to choose not only the lower house of their legislature, which they have done so wisely, and the right to choose a Commissioner in Congress, which they have done so wisely, but the right to choose the upper branch of their legislature and to have full charge of the legislative branch of their government, subject, of course, to the veto that we exercise over a Territory, for their own good. So I am glad to support this measure of justice to the people of Porto Rico. [Applause.]

Mr. GREEN of Iowa. Mr. Chairman, the distinguished gentleman from Texas [Mr. SLAYDEN] who spoke a few moments ago called to mind that in the debate concerning the Philippine bill we upon this side of the House were charged with being inconsistent with the principles upon which the Government of this country was established, and we were accused of being unwilling to grant freedom to a people who desired it. And yet in some way we have now a unanimous report of the committee, supported, I suppose, by a majority of the other side of the House, a bill which denies the right of separation to another portion of our territory, in which there are a considerable number of people at least who wish to be separated entirely from this country—a people whose educational qualifications are, I believe, far in excess of those possessed by the people of the Philippines, certainly a people whose culture and attainments in every way are at least equal. This bill does not give the people of Porto Rico as great a degree of self-government as the Philippine bill provides. It ought to give more. Gentlemen upon the other side accused us of inconsistency when we were unwilling to vote for the Philippine bill, but I suppose they consider themselves entirely consistent in voting for the bill which is now before the House.

Mr. SLAYDEN. Will the gentleman permit me?

Mr. GREEN of Iowa. With pleasure.

Mr. SLAYDEN. Mr. Chairman, I want to say to the gentleman that I think our position is perfectly consistent. If the people of Porto Rico as unanimously desired separation and independence as the people of the Philippines appear to desire it, I would be perfectly willing that they should have an opportunity

to exercise it. I believe in the right of small governments and small peoples to live and in their right to be independent.

Mr. GREEN of Iowa. Let me say to the gentleman from Texas—

Mr. MILLER of Minnesota. Will the gentleman permit me to ask him a question?

Mr. GREEN of Iowa. Yes.

Mr. MILLER of Minnesota. Upon what does the gentleman base his assumption that the people of the Philippine Islands desire independence?

Mr. SLAYDEN. I base it upon evidence which is entirely satisfactory to my mind.

Mr. MILLER of Minnesota. Will the gentleman inform the House what that evidence is?

Mr. GREEN of Iowa. I would prefer that the gentleman did not undertake to make that disclosure in my time. I fear it would take him too long to find the evidence. [Laughter.]

Mr. MILLER of Minnesota. I think he can state in half a minute all the evidence that he has on that subject.

Mr. SLAYDEN. I am not controlled either by political ambitions or commercial interests.

Mr. GREEN of Iowa. Nor am I. In one respect I agree with the gentleman from Texas, and that is in his purpose with reference to Porto Rico. And let me say to the distinguished gentleman from Porto Rico [Mr. RIVERA], as I would have liked to have said to the distinguished gentleman from the Philippines [Mr. QUEZON] if I could have had the opportunity, that I do not believe a solitary Member of this House wants to deny to the people either of Porto Rico or of the Philippine Islands the right of self-government when they shall have fully shown their qualifications for it.

Mr. SLAYDEN. But you want to reserve the privilege of determining that yourself.

Mr. GREEN of Iowa. We necessarily have that duty cast upon us. We undertook it when we acquired those islands from Spain; and I want to see the time come when the people of Porto Rico shall exercise the full right to self-government, either as a State or in some form like that in which Canada now has the right of self-government. I believe that the day will come when Porto Rico and the Philippines alike will be so attached to the Government that they will not desire to be entirely separated and cut off from this Nation.

Mr. Chairman, in the debate on the Philippine bill some comparisons were made between the situation prevailing with reference to the Philippines—and I suppose also with reference to Porto Rico—with the days when this country was demanding separation from England. Those gentlemen who will examine the grounds upon which independence from England was asked by the American Colonies will find that there is no parallel in the situation. Gentlemen who make that assertion should read the Declaration of Independence and see upon what grounds that important document based the reasons for separation from England. What right or privilege has been denied either to the people of the Philippines or to the people of Porto Rico? What do they wish to do, what might they do in the pursuit of comfort, of happiness, of prosperity which they may not do now?

Mr. RIVERA. Will the gentleman yield?

Mr. GREEN of Iowa. I know what the gentleman would say. He would say they have not now the right to select their own governor. We expect to give that to you some day.

Mr. RIVERA. We have been denied the high privilege of governing ourselves.

Mr. GREEN of Iowa. The gentleman does not answer my question. I ask the gentleman in what way he has been denied anything in the way of comfort, happiness, and prosperity, what wrong has been committed on any person who resides in the Philippines or Porto Rico?

Mr. RIVERA. Does the gentleman think it is possible for people to be happy without freedom?

Mr. GREEN of Iowa. In what does freedom consist? Is it the mere exercise of universal franchise? It is not possessed everywhere in the United States. It is limited here. In what does freedom consist? In electing a governor? Quite a large portion of our communities do not select governors. In this city we have them appointed for its citizens. Freedom consists in the possession of certain inalienable rights created before government was established. Let me say also to the gentleman from Porto Rico, in all kindness and sincerity, that the capacity for self-government does not consist alone in education nor even in refinement nor culture. It is something that must be acquired by years of experience.

Mr. Chairman, neither education nor culture, wealth or refinement are such evidence. If they had been, the ancient governments of Greece and Rome would not have perished from the

earth. Five centuries have elapsed since the undying words of the Magna Charta were spoken at Runnymede and a reluctant tyrant was compelled to affix his signature to its principles; but principles will not be enforced until ingrained in the hearts of men. The bitter experience of century after century was necessary before our forefathers learned the true doctrine of self-government. What does it require for self-government? I answer, a capacity for self-control and self-restraint, a spirit of right thinking that recognizes and concedes the rights of others and so influences the majority in numbers or in power as to prevent tyranny over the minority, together with a patriotism that puts country above self, and, most of all, a ready and willing obedience to law and rightfully established authority. If either the Porto Ricans or the Philippine people have learned all this in the brief years of our occupation they are marvels indeed.

Mr. Chairman, I dislike to say it, but it has often seemed to me that the people of the islands which we took over from Spain were raised by us so quickly from a depth of oppression and from the ignorance and poverty which prevailed among the masses to a height of freedom enjoyed by few nations upon the globe that they are unable to appreciate the splendid bounty which had been conferred upon them. In all kindness I would say that the speech which the distinguished gentleman from Porto Rico [Mr. RIVERA] has made to-day bears out this thought, and I am surprised at the ingratitude which seems to prevail among the leaders in the Philippines.

Mr. Chairman, I have often listened on this floor to the gentleman from the Philippines [Mr. QUEZON]. From his speeches one would believe that he and those whom he represents had forgotten the tyranny under which they groaned before Dewey's guns shook Manila Bay with their thunder and shattered the Spanish fleet. They seem to have forgotten the days when those who lifted a hand or voice for freedom in their island were executed wholesale, with as little compunction as when animals are sent to a slaughter pen. They have forgotten that we paid the vast sum of \$20,000,000 to keep them from again passing under the Spanish yoke or being sold to Germany. They have forgotten that the islands have been transformed by the restless energy of the American people from a region scourged by pestilence to one almost as healthful as our own; how free schools have been opened where the darkness of ignorance prevailed; how the door of opportunity has been opened for the poor and needy; how thousands of evils which prostrated a helpless people have been removed; how the whole country has been regenerated under the sheltering folds of that flag which never came to any land without bringing a new life, a new hope, and new freedom for the oppressed.

They tell us that the inhabitants of the Philippine Islands are a nation, and that this nation wants its independence. This collection of what is variously estimated from 20 to more than 200 tribes, that speak 20 different languages, that have different customs, that never lived together in peace until our coming, is this a nation? It is not and may never be. We are told that we are not acting in accordance with the Declaration of Independence in governing others without their consent; but when or how have the majority of the people of these islands expressed their dissent? Only a small portion have the right to vote. Does the gentleman from the Philippines claim that he represents the Macabebes, whom his own race could never subdue or conquer? How many of the Igorots even know he is here; and how many of them would have a voice in the new Philippine government which he fondly hopes to create, with himself at the head, and which would be misnamed if it is to be called a republic? Is the bitter hatred that exists between the Tagalogs and the Igorots to be extinguished by making the Tagalogs rulers over the Igorots? And what is to be done with those fierce fighters, the Moros, who have so often declared that they would submit to no control but ours?

To put the Philippines in the control and power of a small group selected from two or three tribes or races, as would be done by this bill, would violate every principle for which this Government has stood.

If the gentlemen upon the other side are really interested in applying the principles of that immortal document of which they have so much to say, a splendid opportunity can be found close at home without straining their eyes to look 3,000 miles across the sea.

Mr. Chairman, some of these races have fought with and for us, relying on the pledge so well understood that it was unnecessary to make it, that as long as they were true to the great Republic across the sea it would be true to them, and shall we now put it beyond our power to protect them from their hereditary enemies? To do so would be to invite the just condemnation of mankind.

Mr. Chairman, while the American people may have assumed the position of tutors and educators, they desire to be no man's master. I have never known an American who did not want the time to come when both Porto Rico and the Philippines would be self-governing and self-sustaining. With this purpose in mind, each year has seen a larger measure of self-government granted as fast, and, as it has seemed to me in the case of the Philippines, faster than they could best exercise it. If the day comes, as it will come in time to the Philippines, when the capacity for self-government had become manifest, when the various tribes were amalgamated into one nation, who would then deny they would have the right to expect to direct for themselves the affairs of these islands, so far as they concern the islands alone? But it is to be hoped that the people would not only be willing but desirous of remaining under the sheltering arm of our Government, with such a degree of control as would be necessary in order that we might protect them from disorder within and invasion from without, as we now protect Cuba. But the people of the Philippines should fully understand that the United States will never be guilty of the gigantic folly of becoming responsible for the acts of a country over which it has no control; that it will commit such an unparalleled blunder in statecraft as to assume the burden of protecting a people whose course and action it can in no way influence. If either the Philippine people or any Members of this House indulge in such idle dreams they will receive a rude awakening when the sensible, practical farmers and workmen of this country express themselves at the polls.

I am surprised that any thinking man in Porto Rico would suppose that in this day and age that island could remain independent. It must come under the protection of some strong power, and such being the case, can the people of that island think of any Government under which they would have more freedom and more opportunity? When that question is presented to them there is no doubt about the answer. It must be said also that we can not for a moment think of permitting any of the great powers to obtain possession or control over this island. While we hold it it is an outpost for defense of the Panama Canal; held by any other nation it becomes a point of attack in war and danger in peace. For their own good and our good we must retain some kind of control over Porto Rico.

The situation with reference to the Philippines is very similar. Is it possible that the Philippine people can not see what will be the result of a separation in the manner provided by the Senate bill? When a nation such as our own, whose available strength in men and means surpasses that of any other on the globe, feels that it is not safe from aggression unless it maintains a powerful navy, strong fortifications, and half a million of disciplined men ready to call, what chance for self-preservation would any government created by this bill possess? If Australia before the present war had so much reason to provide a powerful military organization and to construct battle cruisers in order to protect itself against Japan, how hopeless would be the situation of the Philippines when cast off to shift for themselves? Protected and sheltered from the howling storm of war that rages over the greater part of the civilized world, the Filipinos seem to have no conception of the real situation. Apparently only a few realize independence now means the ruin of their country in the future, but they have only to look around them to learn what will be their fate.

Taking advantage of the conditions brought about by the present war, Japan issued its ultimatum to China, a country which had given no offense and which sought only to be left alone. Now, Japan is slowly but surely assuming dominion over its helpless neighbor, and soon China will be but its vassal. The Philippines, if not under our protection, will quickly follow.

The problem before us is not easy. We do not know how large a portion of the Philippine people desire a separation on the terms of this bill. We do know that they have been led to believe that some general agreement between nations would be made for their protection when complete independence had been established. That any considerable portion of the inhabitants of the island desire to be cast loose upon the terms of this bill is a supposition that does little credit to their knowledge or understanding.

Mr. Chairman, if the Philippine bill should ever pass in the form agreed to by the Senate, the time is not far distant, as I believe, when the peril to us of the innumerable hordes of the Orient will be changed from an expectancy into a reality, and the Philippine Islands will have passed as a result of the enactment of such a bill into the control and under the dominion of a foreign power where a spirit hostile to this Nation has long prevailed. Then when at length that power has so grown in strength that it is ready to carry out its long-premeditated desires; and when in the midst of war our citizens realize that

the strength of their adversary, its wealth, and its power had been increased by the action of this Congress, the historian of that day will read with astonishment of its proceedings and search the record in vain for a justification of its proceedings. [Applause.]

Mr. PARKER of New Jersey. Mr. Chairman, I speak on this bill as an intensely practical question. It seems to me that freedom, happiness, allegiance, loyalty, and Americanism will depend in this country of Porto Rico, as well as in all other countries, in its people being able to make their own living and having money to run their own government. It is, I say, an intensely practical question that confronts us to-day in Porto Rican affairs. The principal revenue of Porto Rico has been and is in duties collected from goods coming there from all parts of the world other than ourselves. There is free trade between Porto Rico and the United States. These imports have fallen to less than a third of what they were, so that there is almost no revenue, and the government does not know how to get along. The same thing is taking place in the Philippines. The question is intensely practical so far as the support of the government is concerned.

It is rather difficult for them to collect taxes in islands like these. In olden times they put an export duty on coffee at the wharves, and so they did not send their tax collectors all over the land but collected the tax at once against the farmer without oppression where the price was paid.

Now export taxes are forbidden, and instead of having export duties that could be paid where the goods were sold after the money was received from the exporter, these taxes have to be placed, as proposed in section 3 of this bill, upon land. As a practical result in Porto Rico, I am informed, that as the poor people there did not understand the payment of taxes on the value of land, which sometimes amounts to more than what it brings in every year, they have been sold out by a large number of tax sales. Is that not right?

Mr. RIVERA. The gentleman is not right; his information is completely erroneous.

Mr. PARKER of New Jersey. Very well; I am glad to hear it. I was afraid that they were being oppressed by tax sales. I do know, however, from reading over the bills of the Porto Rico Legislature that they have been forced to put upon each trade and profession and business a license tax to be paid every year, so that if a man wants to plane or saw and get something from his neighbor for it, that little energy is taxed and he can not do it until he takes out a license as a carpenter. Such taxes are not only imposed by general law for the general government, but by the law municipalities also can tax wholesale stores, dry goods stores, grocery stores, furniture stores, pharmacies, and a long list that I will not read. Thus a man is taxed because he is active and doing business. He is taxed also if he follows a trade. This "cedula," as it is called, is abhorrent; it is repressive of energy.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. PARKER of New Jersey. Not at present. These taxes are unnecessary. Soon after we took over Porto Rico in the year 1900, under the leadership of the former leader of this House, Mr. Payne, we passed a law that all goods going into Porto Rico should pay United States duties except those that came from or to the United States, which should pay one-quarter of those duties, and that the one-quarter of the duties collected, both in the United States on goods from Porto Rico and in Porto Rico on our goods, should be paid into the Porto Rican treasury. That law had two good results. It gave them money to run their government, and plenty of it. It encouraged commerce between the United States and Porto Rico, but still it gave the small producer in Porto Rico some protection—not very much, compared to our own, because it gave a preference to United States imports, but some protection to their small trades. It is a difficult and terrible thing for an island of this sort, filled with people of a different race and a different language, to be put into immediate competition with our mills. Our shoe factories have driven our own shoemaker out of business and he has become the owner of a shoe factory or works in the factory; but if our factories drive the Porto Rican shoemaker out of business he can not come into a factory here.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. PARKER of New Jersey. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. PARKER of New Jersey. Mr. Chairman, the result is that where you make laws for a different community from your own you must not treat them as part of your own State, as Ireland was treated by England, so that Irish manufactures

were destroyed by the greatness of English power, energy, and organization, but you must give them a chance to develop for themselves, by allowing them some small amount of protection against the great mother country. That protection is what has made the strength of Canada, Australia, and New Zealand. They have been given real independence, an independence which allows them to have their own business managed in their own way [applause], subject, it is true, to revision by the home Government. This is the constitutional way. It is provided in the Constitution of the United States that any State, with the consent of Congress, may put import duties on goods that are brought into that State from other States, provided that the scheme is always under the control of Congress and the money collected goes into the General Treasury. So far as the State is concerned, such duties would be merely for protection.

This law that was passed in 1900—the 25 per cent law—worked well. There is no doubt of that. It was repealed by the influence of American manufacturers who wanted a monopoly of the Porto Rican market. Porto Rico would be far better off now with the revenue and protection that they received from this law. We might go further. We might give the Porto Rico Legislature the right to establish what duties they pleased against all of the world, with the understanding that only one-quarter of those duties should be charged against United States goods and only one-quarter of our duties against Porto Rican goods coming into the United States, and that those funds should go into the Treasury. They need the money and they need the protection.

This is a matter on which I spoke on the 22d of February, 1900, 16 years ago. I then urged the establishment of that 25 per cent tariff rule. I urged it earnestly, because I thought it essential that Porto Rico should have revenue and protection such as we have, as an independent entity, not ready to become part of this Union, because the power of our business and industry would be oppressive, but ready to accept the protection of this Union, and yet to exercise a real independence, just as Canada possesses a business independence from England. I ask unanimous consent to extend my remarks in the Record by printing that speech.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent to extend his remarks in the Record in the manner stated. Is there objection?

There was no objection.

Mr. PARKER of New Jersey. Mr. Chairman, I have been consistent in this view. When the present Philippine law was proposed in 1906, which abolished the 25 per cent rule between the Philippines and the United States, I opposed its enactment and urged that it would destroy their revenue, as it has done. The Committee on Insular Affairs will bear me out in the statement that when it was attempted to put a land tax in the Philippines they were unable to enforce it. They had to go without it and to adopt the cedula system of licensing business, a system which is a tax upon energy and a destruction to trade, an injury to the freedom of the individual, which ought not to prevail if it can be avoided in any part of the possessions of the United States. [Applause.]

I urge that before we get through with this bill we should insert a provision such as we had before, that the United States tariff should apply to Porto Rico, but that goods between the United States and Porto Rico should pay only one-fourth of that tariff and pay that into the Porto Rican treasury, or else that we should give the Porto Rican Legislature the right to fix what duties they please on goods from all parts of the world, with the same understanding that only one-quarter of each tariff should be paid on trade between us and them. This provision of a preferential tariff has become the great question of the world between England and her colonies. If she shall adopt a rule that only a certain proportion of all duties shall be paid where the goods go between different parts of the English possessions, and that that proportion when paid shall go into a common fund for a common defense, she will only have adopted the same provision that is contained in Article I, section 10, paragraph 2, of the American Constitution, which provides that no State shall impose any duty upon imports or exports except with the consent of Congress, that the net proceeds of such duty shall be for the use of the Treasury of the United States, and that such laws always be subject to the revision and control of Congress. That provision is not usually brought to our attention, and I point out that it is essentially protective so far as the State is concerned, because the State gets no money whatever and the revenue goes to the United States. It is a section intended for the protection of individual States, with the thought then that they might be as far separated from us as Porto Rico now is. Modern transportation has changed that as to the States, but a preferential

tariff for Porto Rico will be for the common benefit of the whole country. [Applause.]

The speech I delivered February 22, 1900, upon the Porto Rico tariff is as follows:

"REMARKS OF HON. RICHARD WAYNE PARKER, OF NEW JERSEY.

"The House being in Committee of the Whole House on the state of the Union, and having under consideration the bill (H. R. 8245) to regulate the trade of Porto Rico, and for other purposes, as follows:

"Be it enacted, etc., That the provisions of this act shall apply to the island of Porto Rico and to the adjacent islands and waters of the islands lying east of the seventy-fourth meridian of longitude west of Greenwich, which was ceded to the United States by the Government of Spain by treaty concluded April 11, 1899; and the name Porto Rico, as used in this act, shall be held to include not only the island of that name, but all the adjacent islands as aforesaid.

"SEC. 2. That on and after the passage of this act the same tariffs, customs, and duties shall be levied, collected, and paid upon all articles imported into Porto Rico from ports other than those of the United States which are required by law to be collected upon articles imported into the United States from foreign countries.

"SEC. 3. That on and after the passage of this act all merchandise coming into the United States from Porto Rico and coming into Porto Rico from the United States shall be entered at the several ports of entry upon payment of 25 per cent of the duties which are required to be levied, collected, and paid upon like articles of merchandise imported from foreign countries; and, in addition thereto, upon articles of merchandise of Porto Rican manufacture coming into the United States, customs duties equal in rate and amount to the internal-revenue tax which may be imposed in the United States upon the same articles of merchandise of domestic manufacture; and upon articles of United States manufacture coming into Porto Rico customs duties equal in rate and amount to the internal-revenue tax which may be imposed in Porto Rico upon the same articles of Porto Rican manufacture.

"SEC. 4. That the customs duties collected in Porto Rico in pursuance of this act, less the cost of collecting the same, and the gross amount of all collections of customs in the United States upon articles of merchandise coming from Porto Rico, shall not be covered into the general fund of the Treasury, but shall be held as a separate fund, and shall be placed at the disposal of the President to be used for the government and benefit of Porto Rico until otherwise provided by law."

"Mr. PARKER of New Jersey said:

"Mr. Chairman, I feel difficulty in addressing this committee after the speech that has been made by the gentleman from Massachusetts [Mr. Moody], a speech that ought to be written in our hearts. It is not to the law of this matter that I should address myself, for wiser lawyers have spoken on that subject. But I want to say to this House that there is no calamity that they could impose upon Porto Rico or upon those people equal to the failure of this bill.

"Porto Rico is our ward; it is for its people we are legislating. It is to give them such financial conditions as will allow them to have peace and prosperity, and to wish to be within the limits of the United States; and to my mind the alternative proposed of giving free trade to Porto Rico would be an unspeakable wrong to them. I say this without the least hesitation because my first impressions were in that very direction of free trade. The extension, through annexation of Porto Rico as a part of the United States, to it of the Dingley tariff means necessarily that we also extend to them our internal revenue. No man can deny that. Otherwise they could distill liquor or make cigars, and make the things which are under our internal revenue, and could send their products free of duty into the United States.

"But to extend the excise law to them means that all small manufactories should be closed and that hundreds of people should be put out of business. It means that these poor people, for they are poor, could no longer smoke cigars, because the price would be so much increased. There is not a witness who does not say that the imposition of these excise taxes would be absolutely impossible in Porto Rico, and for that reason this bill does not impose them. Free trade means more to this island. Its people have lived without machinery, without organized manufactories.

"Small trades, like those of the shoemaker, the tailor, and the furniture maker, such as used to prevail with us, are there still supplying the wants of the people. All at once they would be subjected to the competition of great manufacturing industries which have almost driven these trades from without our midst and would drive them out from their island. We have welcomed the development of manufacturing in spite of that result. Our tradesmen have done better; the shoemaker became the shoe manufacturer, the tailor becomes a merchant tailor or engages in large manufactories. Our eastern farmer, who finds that the railroads have made his farm unprofitable, moves to the West, where farming pays.

"Our eastern manufacturer, if his materials become too expensive, goes where those materials are cheaper. The American can move everywhere, but the Porto Rican is not an American. He speaks Spanish; he is partly of Indian blood. He can not or will not come to this country, and any measure which would put that little island immediately under the unrestricted competition of our great manufactories and drive out its small tradesmen would be an injury that we have no right to inflict.

"There is only one parallel case, and that was cited by the gentleman from Massachusetts [Mr. McCall], who spoke against the bill. It is Ireland. Let me ask what free trade has done for Ireland? Free trade for Ireland meant that England, the country which had the coal, the brains, and the organization, took the profits of an island that was turned into a poor farming country, on which its sister island held the title or the mortgage and from which it drew the rents. We do not mean to create this result in Porto Rico.

"With free trade between Porto Rico and this country, whence is revenue to be got? Revenue is needed for roads and schools, such revenue as we always need for good government, for courts, and the administration of the laws. We can appropriate from the United States Treasury, but no one thinks that is a proper measure; or we can tax property there as we do here. Are we to increase the land taxes there upon a people whose plantations have been ruined by tornadoes? Or are we to increase a tax which they have already—the tax upon production? There every farm pays a certain proportion of its production to the Government. But this produce tax is the worst kind of tax in the world, because it makes an army of assessors all over the country; because it is the most susceptible to fraud; because it is the most susceptible to oppression; because it seeks for money when there is nothing but the crop upon the ground. If that crop be taken away, the expense of its being taken away is to come out, as well as the expense of the tax collector.

"We will adopt no such measure. This bill says that Porto Rico shall have what no State in this Union has ever had. It says first, that these poor people shall have absolute freedom from the excise taxes of the United States, and from the tariff of the United States, so far as paying a single dollar into our Treasury. It says that they shall be treated as our friends. We do not ask them to contribute to our support or even to the repayment of what we have spent in the war which gave them good government. We reduce the Dingley tariff as against them by three-quarters.

"We ask them only to do the same to us, and then we declare that the payments under the tariff shall not go into the Treasury of the United States, but go to the President for the benefit of the people of that island. Was ever so much generosity shown to any people? We give them just enough protection to maintain their own industries during the period of change, and we relieve them as far as we can from land tax or produce tax. [Applause on the Republican side.]

"If the tariff that we lay on their goods is a tariff on their production, it is only when the goods have come here and are able to pay the tariff because at the market and the money is ready to pay for them.

"And then we enact that the duties not only on goods that go to them but on goods that come here shall all go to the benefit of the island. This is what we have been told is tyranny!

"What are we going to give the islands if we do not pass this bill? What are we to do for those people? How is the expense of their government to be paid?

"Gentlemen come to me and others on this side of the House and talk of this measure of kindness as if it were tyranny. And they talk about the Philippines and ask, Will you do the same there? Still more, they ask whether the rights of personal liberty guaranteed by the Constitution shall not go to all the Territories held by the United States? How are these questions incident to a measure providing simply for the raising of revenue for this country and for that island? There is a constitutional provision that 'all duties, imposts, and excises shall be uniform throughout the United States.'

"The provisions as to personal rights are not limited as to place. One says that the writ of habeas corpus shall not be suspended except in certain cases, and says nothing about territory. It may well be argued that the rights of a citizen of the United States go everywhere where the power of the United States may extend. But how has that to do with the question as to whether these people should be given relief to the extent of three-fourths from the tariff bar that now stands between us and them; that they shall be afforded at the same time a revenue for schools and for roads, and that they shall be absolutely relieved from all contributions toward the support of this Government?

"Let us have no sympathy with mere verbal arguments on the subject of our control in the territories that we have received by the treaty with Spain. They are not beyond the pale of the great rights of liberty guaranteed by the Constitution. As soon as peace is established an inhabitant of those islands is entitled to the protection of his life and his liberty. But so far as the territory is concerned, this Government, through its Congress, has the power to acquire territory, and when it has been acquired

it is the right of Congress, under the Constitution, even to dispose of or sell such territory.

"Our control over the territory is absolute. If Congress can sell, it can control. It can tax. It can exercise the power of taxation as may be found right, and has the power to make all rules and regulations with reference to such property. There is no limitation on this power, except that taxes must be uniform throughout the States which are united and which contribute by uniform laws to the support of the United States Government while managing their own affairs. This territory is not contributing to the expenses of maintaining the United States Government. The United States is imposing taxes there for the purpose of maintaining the local government there; and it must have all the powers of a State in so doing.

"Mr. FINLEY. Will the gentleman yield for a question?

"Mr. PARKER of New Jersey. Yes, sir.

"Mr. FINLEY. In ordinary legal parlance, is not the term 'rules and regulations' used as meaning provisions for carrying out some enactment of law? In other words, is there not a distinction between a law and what may be termed 'rules and regulations'?

"Mr. PARKER of New Jersey. In this particular article 'rules and regulations' are spoken of as instruments of government, and therefore they are law.

"Mr. FINLEY. Then I understand the gentleman to say that 'rules and regulations' in the sense implied in this article mean law?

"Mr. PARKER of New Jersey. I can not see how it can mean anything else, and I believe the courts have so held.

"Mr. FINLEY. Has the gentleman any authority in support of that statement?

"Mr. PARKER of New Jersey. I have plenty of authorities, but I have not the books at hand. The Supreme Court of the United States has often held that in the Territories under this authority to make rules and regulations Congress must make law.

"Mr. FINLEY. Then, as I understand, the gentleman has no authorities.

"Mr. PARKER of New Jersey. I have plenty of authorities, but I can not on the instant refer to the exact case. I have no books here.

"Mr. GILBERT. Will the gentleman allow me to ask him a question?

"The CHAIRMAN. Does the gentleman from New Jersey yield?

"Mr. PARKER of New Jersey. Certainly.

"Mr. GILBERT. Do you contend that Congress could incorporate a railroad company or a bank in Porto Rico?

"Mr. PARKER of New Jersey. Certainly.

"Mr. GILBERT. Would that corporation become a citizen in the sense of the fourteenth amendment to the Constitution?

"Mr. GROSVENOR. Not necessarily.

"Mr. PARKER of New Jersey. I should say not.

"Mr. GILBERT. Would it become a person in the sense of the fourteenth amendment?

"Mr. PARKER of New Jersey. I should say not necessarily.

"Mr. GILBERT. Does not the gentleman know that the Supreme Court has repeatedly held that corporations are persons within the sense of the fourteenth amendment?

"Mr. PARKER of New Jersey. I believe so.

"Mr. GILBERT. Would not that corporation be entitled to equal protection of the laws in Porto Rico?

"Mr. GROSVENOR. What decision of the Supreme Court is there on that subject since the adoption of the fourteenth amendment?

"Mr. GILBERT. The case of St. Clair County against somebody. There are three or four cases in which the Supreme Court has held that a corporation is a person in the sense of the fourteenth amendment.

"Mr. PARKER of New Jersey. I want to make one or two more propositions, and I do not think the gentleman's question is very pertinent to my argument. It is very easy to ask questions when a man is standing here without books, and it is not easy to answer them without the authorities at hand.

"Mr. GILBERT. If this Congress—

"Mr. PARKER of New Jersey. The gentleman is making an argument, and he is not on the point that I am referring to.

"The CHAIRMAN. The gentleman from New Jersey [Mr. PARKER] is entitled to the floor.

"Mr. PARKER of New Jersey. Something has been said about export duties. It was always supposed that export duties were duties levied upon goods because they were exported—that is to say, if a law should be enacted that in a certain State all of a certain class of goods leaving that State should pay a duty, that would be an export duty. On the other hand, if a State, by

consent of Congress, were allowed to impose a duty on all goods coming into that State, that would be an import duty. Some of those goods would come from other States, but that would not make this an export duty on the goods coming from those States.

"The provision of the Constitution was intended to prevent the imposition of duties on goods, on the classification and because they were exported. Here by this bill duties are levied on goods going into Porto Rico, not because they are exported from anywhere, but because they are imported into that island. They are import duties, pure and simple.

"The bill provides full Dingley tariff rates for goods coming from the rest of the world and one-quarter of those rates for goods from the United States. That is not the imposition of an export duty on goods coming from the United States. That is a reduction by three-quarters of the import duties in Porto Rico because the goods come from the United States. The bill might just as well have said that full tariff rates under the United States laws shall be charged on all goods from where-soever they shall come, with a rebate of three-quarters to be allowed to goods coming from the United States. The bill substantially orders an import duty with a rebate on goods coming from the United States.

"Now, on that construction of the law we are not without a case exactly analogous. It is the case of Pace against Burgess. Pace made tobacco and Burgess was collector. The law provides that there shall be a stamp tax on all tobacco of so much per pound, but that if the tobacco was to be exported, it was to pay a much less rate per pound, and that a different stamp, marking the tobacco for export, should be put upon the tobacco. The manufacturer went before the Supreme Court claiming that the tobacco was for export, that it was taxed so many cents a pound, and that therefore an export duty was being levied.

"The court denied this claim, holding that while the statute imposed a tax on tobacco that was exported, it was really a rebate on a much larger tax on all manufactured tobacco, and therefore not an export tax, but a rebate of an excise tax. Now, just so in this case, when this bill says that there shall be a tariff imposed upon all goods coming into Porto Rico, and then provides that import duty shall be much less if the goods come from the United States, it is not an export duty from the United States, but a rebate of an import duty into Porto Rico.

"It is idle longer to delay the House with questions of law.

"Mr. BARTLETT. Will the gentleman permit me to ask him one question?

"Mr. PARKER of New Jersey. Certainly.

"Mr. BARTLETT. Do I understand the gentleman to claim that the Dingley law is now in force in Porto Rico?

"Mr. PARKER of New Jersey. By this bill the Dingley law is put into force in Porto Rico, except that practically a rebate from the Dingley law of three-quarters is given on all goods that come from the United States.

"In conclusion, only one word. It is idle to talk of law only. This is an intensely practical question. We must give some relief to these people. We must give them revenue; we must give them a reduction of the tariff; we must give them the means of getting a chance in the progress among nations. Unless that happens we might have revolution, and we shall certainly have poverty and discontent. This bill gives that relief, and we can not help appealing to every member of this House to support it. [Applause on the Republican side.]

[By unanimous consent, Mr. GREEN of Iowa was granted leave to extend his remarks in the RECORD.]

Mr. BENNET. Mr. Chairman, I move to strike out the last two words for the purpose of asking the gentleman from Virginia [Mr. JONES] a question. During the course of the remarks of the gentleman from Iowa [Mr. TOWNER] I asked him if there was anything in this bill that covered the case of the several hundred former residents of Porto Rico who live in New York City, who were born in Porto Rico, Spanish subjects at that time, left Porto Rico prior to 1898 or since, and now reside in the State of New York, and, doubtless, in other States.

Those men did not desire to take advantage of the treaty and did not renew their allegiance to the Crown of Spain prior to April 11, 1900. Therefore they ceased to be Spanish subjects. They were in the United States at the time of the war, and they had no opportunity to continue their adherence to the Crown of Spain. Now they can not be naturalized in the United States because they can not renounce allegiance to any king or State. As a matter of fact their allegiance is to the United States, but they are not citizens of the United States. This bill does not help them out, because this bill only applies to persons who are either now in Porto Rico or who shall return, and what I want to ask the gentleman was whether—I will ask a two-branch question—whether the omission to do anything

for these people was intentional, or if it was not intentional whether the gentleman would have any objection to an amendment which would appeal to his sense of what is right and fair, conferring American citizenship upon these former Porto Ricans, or former subjects of Spain, who have resided for these many years in the United States?

Mr. JONES. Well, I would say to the gentleman in response to the last part of his question that if these Porto Ricans are in the United States and propose to continue to reside in the United States there is no reason why they can not become citizens of the United States—

Mr. BENNET. Oh, yes.

Mr. JONES. Why?

Mr. BENNET. How can they? They can not be naturalized because the law of June 28, 1906, says that no one can be naturalized except a subject or citizen of some foreign power. Now those people lost or rather ceased to become the subjects of Spain—

Mr. JONES. Yes.

Mr. BENNET. By that war, and we may gloss it over as much as we please, but the fact remains that those people are subjects of the United States.

Mr. JONES. The gentleman may be right about that. I had in my mind when I said what I did of a number of Porto Ricans who heretofore have come to New York and have become naturalized citizens of the United States; but I will say to the gentleman that it was not brought to the attention of the committee that there were any Porto Ricans residing in New York who had no intention of going back to the island, and therefore we did not consider that subject at all. We felt that we were going far enough when we extended American citizenship to those Porto Ricans who live in the island and those who are temporarily away and intended to go back. I would not be willing, I think, to extend American citizenship to Porto Ricans who have resided and almost expatriated themselves, and who have no idea of ever going back there.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. BENNET. I will yield first to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Upon what does the gentleman base his statement that those people lost their citizenship in regard to Spain?

Mr. BENNET. Upon the fact that in section 7 of the act of 1902—I will take that back; those people have lost their rights as subjects of Spain through the fact of the conquest of the land of which they were citizens.

Mr. MILLER of Minnesota. And did not avail themselves of the privilege contained in the treaty with Spain of asserting their intention.

Mr. GREEN of Iowa. If the gentleman will allow me a moment, I will say I can not agree with the gentleman at all. I know of no principle of international law, and I doubt whether the gentleman knows, although he may have looked it up more carefully than I have, that the conquest of the island would cause these people residing in New York to lose their citizenship in Spain.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BENNET. I would ask that I may have five minutes more.

Mr. MANN. Will the gentleman yield?

Mr. BENNET. If I can get the time.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Of course it would not affect the citizenship of Porto Ricans residing in New York at the time of the conquest. That is the point referred to, but those who came from Porto Rico to New York since can not become naturalized, and under this bill they still remain citizens of Porto Rico, which is nothing to them, and they can not become citizens of the United States, which is everything to them.

Mr. BENNET. And if they came shortly after the conquest, I will call the attention of the gentleman from Minnesota to the fact that section 7 of the act of 1900 only applies to Spanish subjects residing on the island of Porto Rico.

Mr. MILLER of Minnesota. I can see no reason why this present bill should not be amended so as to confer citizenship upon the inhabitants of Porto Rico or upon Porto Rican citizens who are now residing in the United States. That would cover the ground.

Mr. TOWNER. Will the gentleman yield?

Mr. BENNET. In a moment. I drafted this, I will say to the gentleman from Minnesota: "That all former Spanish subjects born in Porto Rico, who at the time of the passage of this act reside in any State or Territory of the United States

or in the District of Columbia, except such as shall have elected to preserve their allegiance to the Crown of Spain on or before the 11th day of April, 1900, are hereby declared and deemed to be citizens of the United States."

I think possibly that would cover it.

Mr. STAFFORD. Will the gentleman permit—

Mr. BENNET. I now yield to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. The language of the section in the bill by which we give the right to become citizens of the United States says, referring to these citizens of Porto Rico—

Mr. BENNET. What page?

Mr. TOWNER. Page 6—

And have since returned and are permanently residing in that island, and are not citizens of any foreign country.

So that the people to whom the gentleman refers in the United States could not come under the provision of this section.

Mr. BENNET. Certainly not.

Mr. TOWNER. Therefore, not being allowed to become citizens of the United States, because they are not citizens, and who have been citizens of a foreign power, having had their allegiance transferred by the treaty, they can not become citizens of the United States here and can not become citizens of the United States under the provisions of this act unless it is amended.

Mr. BENNET. Certainly; I agree thoroughly with the gentleman.

Mr. FESS. Will the gentleman yield?

Mr. BENNET. Yes.

Mr. FESS. This question is purely for information. The first step in naturalization is to renounce allegiance to the country—

Mr. BENNET. To the country of which the person is a subject or a citizen.

Mr. FESS. And second, to declare an intention to become a citizen of our country.

Mr. BENNET. That is in the declaration of intention.

Mr. FESS. Now, what I want to know is, if the fact of the loss of citizenship in Spain would not satisfy the law of the renunciation of the citizenship for the sake of being naturalized?

Mr. BENNET. It would not. The gentleman from Indiana [Mr. MOORE] is very well informed on legal matters, and tells me that there is a district court decision on this. That was my own impression. He has gone to look up the decision. The reason I brought the matter up so early is just exactly what has occurred, that we might by discussion rather clear our minds as to the best way of covering what I think all of us want to cover, because I am frank to say the fewer subjects the United States has the better I will be pleased.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. BENNET. Yes.

Mr. MILLER of Minnesota. I am informed that the Federal court in the Hawaiian Islands has just decided that a Filipino man who was then in Hawaii had a right to become naturalized as a citizen of the United States. That case, of course, will be appealed, and, I understand, the Government attorney has taken steps for the appeal, and it ultimately will be decided by our Supreme Court. If our court should hold that that Filipino had a right to citizenship in the United States for naturalization, of course the same reasons would apply to citizens of Porto Rico, and the gentleman in whom the gentleman from New York is interested.

Mr. BENNET. The Supreme Court of the United States in the case of *In re Williams* had a chance to declare something like that, and did not do it.

Mr. MILLER of Minnesota. I know they did not.

Mr. BENNET. They simply contented themselves by deciding that a resident of the island of Porto Rico was not an alien, and stopped right there.

Mr. STAFFORD. Will the gentleman yield?

Mr. BENNET. I will.

Mr. STAFFORD. Is not citizenship, so far as naturalization goes, predicated upon the act of the individual, and would not your amendment force citizenship upon them regardless of their own desires?

Mr. BENNET. The gentleman is correct up to a certain point. We have done that in a great many instances. We did it in the case of the whole Territory of Louisiana when it was taken over from France. The gentleman from Ohio [Mr. FESS] this afternoon called attention to the fact that we forced, if you want to use that word, citizenship on everybody in Texas that we took with Texas.

Mr. MANN. And we do it when anybody is born.

Mr. BENNET. Yes.

Mr. STAFFORD. The very fact that they lost their nationality as to Spain does not signify that we should necessarily confer citizenship upon them unless they wish it?

Mr. BENNET. I will say to the gentleman from Wisconsin that after we have conferred that citizenship upon them, and we have the right to do it, of course, by right of conquest, if they want to turn around and deliberately expatriate themselves and become Russians or Hindus or anything else, they have that right?

Mr. STAFFORD. Will the gentleman permit further?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BENNET. Mr. Chairman, I ask unanimous consent to proceed for four minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for four minutes. Is there objection? There was no objection.

Mr. STAFFORD. There may be, as a result of this European war, certain countries effaced from the governmental maps which have a large number of subjects living in this country, but that would be no reason why we should by legislative act confer jurisdiction upon those people without their full assent and will?

Mr. BENNET. Oh, that is entirely different.

Mr. STAFFORD. I think that is a parallel case.

Mr. BENNET. These are people that we have taken over, and to whom we owe a duty to start them off with some sort of citizenship.

Mr. TILSON. Will the gentleman yield?

Mr. BENNET. I will.

Mr. TILSON. Is it not provided in this very bill that if they wish to continue as citizens of Spain or become citizens or subjects of Spain, they can do so under the terms of this bill by signing a certificate within six months after this law goes into effect?

Mr. BENNET. They could go back to Porto Rico, and when they got there they could sign a declaration, and, after they had signed that declaration, I am a little bit doubtful as to what their status would then be. Would they be citizens of Porto Rico or would they be subjects of Spain? I do not know precisely what that language means.

Mr. TILSON. It seems that they may become subjects of Spain if they wish to do so.

Mr. BENNET. The language says:

I, ———, being duly sworn, hereby declare my intention not to become a citizen of the United States as provided in the act of Congress conferring United States citizenship upon citizens of Porto Rico and certain natives permanently residing in said island.

Well, I do not know that that would get them any further than making them men without a country. I suppose we have the right to do that. But it seems to me we owe it to them to start them off right as American citizens.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. BENNET. Yes; I yield to the chairman of the committee.

Mr. JONES. I agree with the gentleman from New York as to what he says about the language quoted on page 6 of the bill. That would not help at all. It was intended for just an opposite purpose.

But the gentleman assumes that these Porto Ricans who have, I may say, expatriated themselves, desire to become citizens of the United States. I have no reason for knowing that. The committee has no evidence on the subject. Nobody ever made such statements to us, and this law was framed for the purpose of making the Porto Ricans residing in Porto Rico collectively citizens of the United States, but permitting those who did not want to become citizens to go into the court and make this declaration.

Now, this proposition which the gentleman makes is to make these people who are not residing there, and who have expatriated themselves, collectively citizens of the United States whether they want to become so or not; and they may not all want to become citizens of the United States.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DAVENPORT. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. BENNET] may proceed for two minutes more.

Mr. JONES. I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. JONES. That is the difficulty in my mind, I will say to the gentleman from New York. I think we ought to make those who reside in Porto Rico collectively citizens, and to let

the persons who are contemplated in this section who do not desire citizenship to make the declaration that they do not want to be citizens. But does the gentleman think we ought to undertake to say that Porto Ricans who have lived there and who do not want to go back should be made citizens without knowing whether they want to be citizens or not?

Mr. BENNET. Answering the very pertinent question of the chairman of the committee, I happen to know something about these people. They do desire to become citizens of the United States, and in many instances they have gone to the naturalization courts and tried to become citizens of the United States. The gentleman says some of these people have expatriated themselves. The gentleman is as good an American as there is in the United States, and I do not think he would put a term of opprobrium upon any person who left any part of the United States and came to the mainland of the United States to cast in his fortunes with us. So far as they could they have become Americans.

Mr. JONES. But the gentleman realizes that when they came here they were not coming to the mainland of the United States, with reference to Porto Rico. Then Porto Rico was a colony of Spain.

Mr. BENNET. I mean those who have come since then. Take the case of a man who was in the island at the time of the conquest. Take the case of the employees of the Bull Line of steamers, to be specific. I do not happen to know anybody connected with that line, but I know that there is such a line. They have brought people from Porto Rico to New York City to work in their offices, and those people have become permanent residents of New York, and regard themselves as Americans, but they are not and can not become citizens of the United States, and must remain subjects.

Mr. JONES. Subjects of what country?

Mr. BENNET. Subjects of the United States.

Mr. JONES. Is the gentleman certain that they are not citizens of Spain?

Mr. BENNET. Certainly; because prior to the 11th day of April, 1900, they did not exercise their right of retaining their allegiance to the Crown of Spain, as provided by section 7 of the act of August, 1900.

Mr. JONES. They were not in Porto Rico at that time?

Mr. BENNET. Yes; they were. They were in Porto Rico at the time. But when Porto Rico became a part of America, and American business commenced to go back and forth, they came to America and engaged in these various lines of occupation as Americans. They had no desire to remain Spaniards. If they had, they could have filed their declaration.

Now, here is the situation: Two men from the same family, both equally desirous of being Americans, one remaining in Porto Rico and one coming to the United States. The man who remains in Porto Rico can become an American citizen, though he is not on the mainland of the United States, but his brother who comes to the United States can not become an American citizen.

Mr. MEEKER. Mr. Chairman, will the gentleman yield for a question?

Mr. BENNET. I yield to the gentleman from Missouri.

Mr. MEEKER. Would it not meet the practical difficulty to offer an amendment similar to the provision in the bill, that those who desire not to become citizens can up to a certain time go into court and make that statement; or, on the other side, make a proviso whereby all those who are already in the United States will be given the opportunity to become citizens of the United States?

Mr. BENNET. I think the suggestion of the gentleman from Missouri is a very practical one, and that it would be possible to couple with the provision that I suggest a provision that if they do not desire to become citizens, then they may file in the United States district court a declaration to that effect.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I should like to oppose the motion to mutilate the first section of the bill.

Just a moment on this point: The language of section 5 of the bill provides among other things for the making of American citizens of natives of Porto Rico who were temporarily absent from that island on April 11, 1899, and have since returned, and who are permanently residing in that island, and are not citizens of any foreign country.

Under the language of the bill the man who was absent from the island on April 11, 1899, and who has since returned to Porto Rico, becomes a citizen. If he came to the United States in 1898 and has gone back to the island, he becomes an American citizen; but if he came to the United States in 1898, and has elected to remain here, he pays the penalty because he stays

here of forfeiting his American citizenship. If he has shown his love of America by staying here, then he is not to be an American citizen. It seems to me that that was not the intent of the committee, and that it might very easily be corrected—

Mr. JONES. I will say to the gentleman that that point was never presented to us.

Mr. MANN. I would like to finish my sentence without having it interlarded. Then I will be very glad to yield to the gentleman. If you strike out the provision—

And have since returned and are permanently residing in that island—

So that it will read—

All natives of Porto Rico who were temporarily absent from that island on April 11, 1899, and are not citizens of any foreign country are hereby declared, and shall be deemed and held to be, citizens of the United States—

That will cover the case. I gladly yield now to the gentleman from Virginia.

Mr. JONES. What I was saying to the gentleman was that it was never stated to the committee that there were any Porto Ricans who would come within this category, and we did not undertake to make any provision of this kind. I will say to the gentleman that we have not reached this section in the reading of the bill, and that if we do reach it this evening I will ask that this section be passed over, to be returned to; and in the meantime I will take up the matter with the ranking minority member of the committee [Mr. TOWNER], and will see if we can not frame some amendment that will meet the situation.

Mr. MANN. I have no doubt at all that it was a pure inadvertence on the part of the committee.

Mr. BENNET. I will say that that course is entirely satisfactory to me, and the reason I brought it up under the first section was in the hope that what has resulted would result; that is, that the chairman of the committee would commence to think about the best amendment to meet the situation. I have no doubt he will have a better amendment when we get to it than the one that I have suggested.

Mr. MILLER of Minnesota. Mr. Chairman, I would like to be recognized in opposition to the formal amendment. Now that we are on this question of citizenship, I suppose we might as well thrash out some of the details that might more properly come up later. In that connection I want to invite the attention of the committee to the fact that the injustice which it is apparent would have been inflicted upon certain individuals who were born in or who are citizens of Porto Rico may exist in respect to certain natives of the Philippine Islands, all of which was called to the attention of the committee recently, but which the committee did not seem inclined to act upon. I am very glad to find that they are willing to listen to suggestions of this kind, although they turned a deaf ear to my beseeching appeal in committee. When I say "beseeching appeal" I speak advisedly, because I had tears in my voice, if not in my eyes, when I was talking to them. The treaty in regard to citizenship provides that a man must have been in the Philippine Islands at the time the treaty was passed in order to become a citizen. In other words, if a man was born in the Philippine Islands and was temporarily away at the time the treaty passed and was signed and has gone back to the islands he is strictly a man without a country. Now, that seems an anomaly, and it may be that to some people it seems a rarity, as far as any practical application is concerned, and not worthy of consideration. That is not so. As a matter of fact, some of the most learned Philippine people were in Europe and some of the most cultured and wealthy people were in Spain at the time this treaty was signed and some were in the Spanish army in Cuba.

I think I will be pardoned if I mention one gentleman, a somewhat notorious gentleman. He was educated at the University of Spain at Madrid. He was one of the leading physicians of the islands. At the time of the Spanish-American war he was a physician in the Spanish Army in Cuba. He afterwards returned to the Philippine Islands, and while I am not qualified to speak, I am informed he is a most eloquent speaker among the Filipino people. I rather think he is eloquent because he has been elected to the Philippine Legislature, I think, three times by an overwhelming majority in the city of Manila. Each time he has been ruled out on the ground that he is not a citizen of the Philippine Islands. As a matter of fact, he was born of a Philippine father and a Philippine mother within the walled city. It is not for me to say whether or not that position was well taken; but anyhow, the Philippine Legislature, which has the right to judge of the qualifications and election of its own members, the same as we have, finally said that Dominibar Gomez should not have a seat in the Philippine Assembly because he was not a citizen of the islands. I am not defending Dominibar Gomez for his record; I will leave

that to my genial friend from Virginia, the chairman of the committee. I mention this to strengthen the fact that we have overlooked some facts, both in Porto Rico and the Philippines.

Let me emphasize again the case of Dominibar Gomez is not one entirely by itself, there are a large number of others, and in legislating like we are doing in this bill, let us correct, as far as possible, the injustice that has been done. [Applause.]

The Clerk read as follows:

Sec. 2. That no law shall be enacted in Porto Rico which shall deprive any person of life, liberty, or property without due process of law, or deny to any person therein the equal protection of the laws.

That in all criminal prosecutions the accused shall enjoy the right to be heard by himself and counsel; to demand the nature and cause of the accusation against him; to have a copy thereof; to have a speedy and public trial; to meet the witnesses face to face; and to have compulsory process to compel the attendance of witnesses in his behalf.

That no person shall be held to answer for a criminal offense without due process of law; and no person for the same offense shall be twice put in jeopardy of punishment, nor shall be compelled in any criminal case to be a witness against himself.

That all persons shall before conviction be bailable by sufficient sureties, except for capital offenses when the proof is evident or the presumption great.

That no law impairing the obligation of contracts shall be enacted.

That no person shall be imprisoned for debt.

That the privilege of the writ of habeas corpus shall not be suspended, unless when in case of rebellion, insurrection, or invasion the public safety may require it, in either of which events the same may be suspended by the President, or by the governor, whenever during such period the necessity for such suspension shall exist.

That no ex post facto law or bill of attainder shall be enacted.

That no law granting a title of nobility shall be enacted, and no person holding any office of profit or trust in Porto Rico shall, without the consent of the Congress of the United States, accept any present, emolument, office, or title of any kind whatever from any king, queen, prince, or foreign State.

That excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

That the right to be secure against unreasonable searches and seizures shall not be violated.

That neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist in Porto Rico.

That no law shall be passed abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and petition the Government for redress of grievances.

That no law shall be made respecting an establishment of religion or prohibiting the free exercise thereof, and that the free exercise and enjoyment of religious profession and worship without discrimination or preference shall forever be allowed, and that no political or religious test other than an oath to support the Constitution of the United States and the laws of Porto Rico shall be required as a qualification to any office or public trust under Porto Rico.

That no money shall be paid out of the treasury except in pursuance of an appropriation by law.

That no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

That eight hours shall constitute a day's work in all cases of employment of laborers and mechanics by and on behalf of the government of the island on public works, except in cases of emergency.

That the employment of children under the age of 14 years in any occupation injurious to health or morals or hazardous to life or limb is hereby prohibited.

That the right of action to recover damages for injuries resulting in death shall never be abrogated.

Mr. MURRAY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 3, line 24, after the word "allowed," insert "and that no political or religious test shall ever be required for the exercise of civil or political rights."

Mr. MURRAY. Mr. Chairman, the usual clause in State constitutions carries this provision, but does not include the remaining part of the paragraph. The committee has provided that "no political or religious test other than an oath to support the Constitution of the United States and the laws of Porto Rico shall be required as a qualification to any office or public trust." Certainly it is more important that no political or religious test shall become necessary for the exercise of civil or political rights.

Mr. MANN. Mr. Chairman, let us have the amendment again reported.

The CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection, and the Clerk again read the amendment.

Mr. JONES. After the word "allowed," it provides that "no political or religious test," and so forth. Does the gentleman want to repeat that?

Mr. MURRAY. No; I would strike that out.

Mr. JONES. How will it read with the gentleman's amendment in it?

Mr. MURRAY. I will ask the Clerk to read it as it would read if amended.

The Clerk read as follows:

That no law shall be made respecting an establishment of religion or prohibiting the free exercise thereof, and that the free exercise and

enjoyment of religious profession and worship without discrimination or preference shall forever be allowed, and that no political or religious test shall ever be required for the exercise of civil or political rights, and that no political or religious test other than an oath to support the Constitution of the United States and the laws of Porto Rico shall be required as a qualification to any office or public trust under Porto Rico.

Mr. MURRAY. I thought of putting it after the word "required," but here is the trouble. You are referring here now to civil rights. You do not want to say that nothing except an oath to the Constitution of the United States shall be required. If you follow the general trend of the Constitution of the United States you strike out everything after the word "allowed," because when you allow civil and political office, that involves the right of holding office without repetition of these words. If you would strike out everything after the word "allowed" and insert my amendment, you would get everything put in here, unless the gentleman wants to retain the expression about taking an oath to obey the Constitution of the United States, and I thought perhaps he had some purpose in that.

Mr. MANN. Mr. Chairman, the provision of the bill is:

And that no political or religious test other than an oath to support the Constitution of the United States and the laws of Porto Rico shall be required as a qualification to any office or public trust under Porto Rico.

Mr. MURRAY. Mr. Chairman, will the gentleman yield?

Mr. MANN. Not until I have made a statement of some kind. That is an admission, to start with, that an oath to support the Constitution of the United States is a political test, and I think the bill is right in reference to that—it is a political test. The gentleman from Oklahoma [Mr. MURRAY] offers an amendment to the effect that no political test shall be required for the exercise of any civil rights. In other words, a man goes to vote; under our law, in every place that I know of, he might be challenged. He could not make an oath under this provision, because that is a political test, if the amendment of the gentleman should prevail. You have to make a great many affidavits at times in connection with exercising your right to vote, but under the provision offered by the gentleman you could not enact any political test, you could not require a man to make any statement under oath as to his residence when he came to be registered, because taking an oath is a political test.

Mr. MURRAY. The gentleman is using that word differently from its general acceptance.

Mr. MANN. I am using it in the legal acceptance that I understand and which the bill conveys. That was the acceptance of the committee and whoever drafted the bill, because the provision in the bill is:

No political or religious test—

And a religious test has nothing to do with supporting the Constitution—

other than an oath to support the Constitution of the United States and the laws of Porto Rico shall be required as a qualification to any office or public trust under Porto Rico.

That is a statement of the bill itself, that an oath to support the Constitution is a political test, and the bill is correct—it is a political test. What the gentleman has in mind is that one shall not be required to state his partisan politics.

Mr. MURRAY. Certainly.

Mr. MANN. But that has nothing to do with the question of a political test.

Mr. MURRAY. But that is the use in every State in the American Union.

Mr. MANN. I do not believe it is used that way anywhere, and if it is, it is used by people who do not understand the English language.

Mr. MURRAY. It is the use in the gentleman's own State constitution, and if that is so then the people in the gentleman's State do not know anything about the English language.

Mr. MANN. Oh, no.

Mr. MURRAY. It is in the early days.

Mr. MANN. Never in the early days. Even in the earliest immigrant days, those who came to our State understood the English language better than that.

Mr. MURRAY. I will ask the gentleman this question—

Mr. MANN. I am not under cross-examination.

Mr. MURRAY. Does the gentleman from Illinois insist that this clause ought not to go in?

Mr. MANN. I insist that the gentleman's amendment ought not to prevail.

Mr. MURRAY. At all in this provision, either here or over further?

Mr. MANN. The amendment offered by the gentleman from Oklahoma is not drawn with his usual ability. It would eliminate the right to exact any kind of a political test, the

gentleman having in his mind partisan politics, but that is not the use of the term "political" in law.

Mr. MURRAY. Does this agree to the gentleman's view, if it is put over on the other page, at the top of page 4, after the word "required"?

Mr. MANN. Why, no; it would still forbid a man taking an oath that he was going to tell the truth when he went to register to vote.

Mr. MURRAY. To make it clear to the gentleman from Illinois, I will ask unanimous consent to change the word "political" to "partisan."

Mr. MILLER of Minnesota. Does that help it any?

Mr. MURRAY. "Any religious or partisan."

Mr. MILLER of Minnesota. Does that help it any?

Mr. MEEKER. Is that in the Constitution?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MURRAY. Mr. Chairman, I ask unanimous consent for five minutes just to answer this.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to speak for five minutes. Is there objection?

Mr. MANN. Mr. Chairman, reserving the right to object, there are two other matters of some importance to come up in the House to-night, and I think, possibly, if the gentleman will let this go over it will be wise.

Mr. JONES. Mr. Chairman, I am going to suggest that the amendment go over until to-morrow, and move that the committee do now rise.

Mr. COOPER of Wisconsin. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COOPER of Wisconsin. Will that leave opportunity when the bill next comes up for further amendment to this section?

The CHAIRMAN. Certainly; the first thing will be the amendment offered by the gentleman from Oklahoma.

Mr. BENNET. The entire section is still open to amendment.

The CHAIRMAN. Certainly.

The motion was agreed to.

Accordingly the committee rose, and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 9533) to provide a civil government for Porto Rico, and for other purposes, and had come to no resolution thereon.

INDIAN APPROPRIATION BILL.

Mr. CARTER of Oklahoma. Mr. Speaker, I call up the conference report on the Indian appropriation bill, H. R. 10385, and ask that the House further insist upon its disagreement to the Senate amendments and agree to the further conference requested by the Senate.

Mr. MANN. What is the request?

Mr. CARTER of Oklahoma. To take up the conference report on the Indian appropriation bill, to insist upon disagreement to the Senate amendments, and agree to the conference requested.

Mr. MANN. The gentleman, I think, does not want to take up the conference report. As I understand, the Senate has already rejected the conference report—

Mr. CARTER of Oklahoma. Yes.

Mr. MANN. Is the gentleman going to move to concur?

Mr. CARTER of Oklahoma. No; my request is that the House further insist on its disagreement and agree to the conference asked.

Mr. MANN. I thought the gentleman was going to move to concur.

Mr. CARTER of Oklahoma. After consulting the gentleman from Kansas [Mr. CAMPBELL], we have decided upon this.

The SPEAKER. Does the gentleman wish to agree to the conference or ask for one?

Mr. CARTER of Oklahoma. The motion is to further insist upon the disagreement of the House to the Senate amendments and agree to a conference.

The SPEAKER. The gentleman from Oklahoma moves to further insist on a further disagreement to the Senate amendments and agree to a conference. Is there objection?

There was no objection; and the Speaker announced as the conferees on the part of the House Mr. CARTER of Oklahoma, Mr. HAYDEN, and Mr. CAMPBELL.

EXTENSION OF REMARKS.

Mr. RIVERA. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the economic capacity of Porto Rico to maintain her own expenses.

The SPEAKER. The Resident Commissioner from Porto Rico asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

THE MILITARY ESTABLISHMENT.

Mr. HAY. Mr. Speaker, I present a conference report for printing under the rule on the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States.

The SPEAKER. The gentleman from Virginia presents a conference report on the Army reorganization bill, to be printed under the rule.

The conference report and statement are as follows:

CONFERENCE REPORT (NO. 644).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 12766, entitled "An act to increase the efficiency of the Military Establishment of the United States," having met, after full and free conference have been unable to agree.

JAMES HAY,
S. H. DENT, Jr.,
JULIUS KAHN,

Managers on the part of the House.

GEO. A. CHAMBERLAIN,
J. C. W. BECKHAM,
F. E. WARREN,

Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 12766, entitled "An act to increase the efficiency of the Military Establishment of the United States," make the following statement:

The conferees have been unable to agree and have not been able to adjust the differences between the two Houses.

JAMES HAY,
S. H. DENT, Jr.,
JULIUS KAHN.

Mr. HAY. Mr. Speaker, in this connection I ask unanimous consent that the following agreement may be agreed to.

The SPEAKER. The Clerk will report the order.

The Clerk read as follows:

It is ordered that on Monday next the bill H. R. 12766, with the Senate amendments, shall be considered in the House, with a motion considered as pending that the House further insists upon its disagreement to the Senate amendments; that during the pendency of said motion it shall be in order to move that it is the sense of the House that sections 2 and 56 of the Senate amendment to the text of the bill ought to be agreed to, which motion shall be put separately to a vote upon each of said sections; that it shall further be in order to move that it is the sense of the House that section 122 of the Senate amendment to the text of the bill ought to be agreed to, and, pending that motion, it shall be in order to offer amendments to said section to be voted upon for the purpose of expressing the sense of the House; that upon each of said two main motions to express the sense of the House, one as to sections 2 and 56 and one as to section 122 in the Senate amendment, there shall be not more than 80 minutes' debate, one-half to be controlled by Mr. HAY and one-half by Mr. KAHN.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, will the gentleman kindly inform the House what items are covered by these three respective sections referred to in the order now pending?

Mr. HAY. Section 2 is the section in the Senate bill providing for an Army in time of peace of 250,000 men. Section 56 is what is known as the "volunteer section." Section 122 is the section providing for a nitrate plant.

Mr. STAFFORD. Do I understand, under the scope of this order, we will have but one vote on section 2 and section 56?

Mr. HAY. You will have a vote on each.

Mr. STAFFORD. And right of amendment on the nitrate proposition?

Mr. HAY. Yes, sir.

Mr. MILLER of Minnesota. Does that mean there will be 80 minutes on the three propositions.

Mr. HAY. Eighty minutes on sections 2 and 56 and 80 minutes on section 122.

Mr. MILLER of Minnesota. It seems to me that is not a very equitable distribution of the time. I should think they should have a great deal more time on sections 2 and 56, and we could get through with much less time on the other one.

Mr. HAY. There are a great many people interested in this proposition for a nitrate plant, and the other propositions have been debated ad nauseam, anyway.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. KAHN. Mr. Speaker, I would like to suggest that this Army matter be taken up immediately after the reading of the Journal on Monday. The order does not so state.

Mr. HAY. I take it the Speaker will control that.

The SPEAKER. The Chair will recognize the gentleman from Virginia [Mr. HAY] the first thing after we clear up the Speaker's table on Monday morning.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title:

H. R. 12207. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1917, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3986. An act granting certain coal lands to the town of Kaycee, Wyo.; to the Committee on the Public Lands.

S. 2986. An act to provide capital for agricultural development, to create a standard form of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to provide for the investment of postal savings deposits, to create Government depositaries and financial agents for the United States, and for other purposes; to the Committee on Banking and Currency.

HOUR OF MEETING MONDAY.

Mr. GARRETT. Mr. Speaker, I ask unanimous consent that when the House adjourns to-morrow it adjourn to meet at 11 o'clock a. m. on Monday next.

The SPEAKER. The gentleman from Tennessee [Mr. GARRETT] asks unanimous consent that when the House adjourn to-morrow it adjourn to meet at 11 o'clock a. m. on Monday. Is there objection? [After a pause.] The Chair hears none.

LEAVE OF ABSENCE.

Mr. CONRY, by unanimous consent, was granted leave of absence, indefinitely, on account of illness.

MORNING BUSINESS TO-MORROW.

Mr. MANN. Mr. Speaker, I wish to say that owing to some speeches which are to be made in the House to-morrow I hope as many Members will be present as possible when the House convenes, because if there is not a quorum here at that time I intend to have a call of the House in order to have the Members come in.

Mr. STAFFORD. The gentleman refers to the testimonial to the eightieth birthday of Mr. CANNON?

Mr. MANN. Yes.

SUPPLIES TO AMERICAN RED CROSS.

Mr. SHALLENBERGER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate joint resolution 119, which I send to the Clerk's desk.

The SPEAKER. The gentleman from Nebraska asks unanimous consent for the present consideration of the Senate joint resolution, which the Clerk will report.

The Clerk read as follows:

Joint resolution (S. J. Res. 119) to permit the issuance of medical and other supplies to the American National Red Cross for a temporary period.

Resolved, etc., That the provisions of section 1 of the joint resolution approved May 8, 1914, authorizing the issue of military and naval equipment to the American National Red Cross be, and they are hereby, so extended as to permit the issue of the same to the American National Red Cross for the instruction of persons who may volunteer to receive training by that association from May 1 to June 1, 1916.

The SPEAKER. Is there objection to the present consideration of this resolution?

Mr. BENNET. Reserving the right to object, could the gentleman in a sentence or two tell us what it is?

Mr. SHALLENBERGER. The bill provides for the issuance of medical and other supplies of the Army and Navy for the use of the service training school that the Red Cross is now conducting in Washington. It has already passed the Senate and is recommended unanimously by the committee.

Mr. STAFFORD. As I understand it, this resolution is to provide surgical supplies in case the fair ladies in camp at Chevy Chase become ill.

The SPEAKER. Is there objection to the consideration of the resolution?

There was no objection.

The resolution was ordered to be read a third time, was read the third time, and passed.

MARY L. CUSHMAN.

Mr. LLOYD. Mr. Speaker, I offer a privileged resolution.

The SPEAKER. The gentleman from Missouri offers a privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 167 (H. Rept. 647).

Resolved, That the Clerk of the House be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to Mary L. Cushman, widow of John E. Cushman, late a messenger on the soldiers' roll of the House, an amount equal to six months of his compensation as such employee and an additional amount, not exceeding \$250, to defray the funeral expenses of said John E. Cushman.

The SPEAKER. The question is on agreeing to the resolution. The question was taken, and the resolution was agreed to.

H. B. HARE.

Mr. LLOYD. I also desire to offer the following resolution.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 205 (H. Rept. 646).

Resolved, That there shall be paid out of the contingent fund of the House the sum of \$500 to H. B. Hare for clerical services rendered as clerk of the Committee on Mileage.

Mr. LLOYD. Mr. Speaker, the Committee on Mileage has no clerk. This is the usual amount allowed to the Committee on Mileage once in two years.

The SPEAKER. The question is on agreeing to the resolution. The resolution was agreed to.

FOSTER ZEIGLER.

Mr. LLOYD. Mr. Speaker, I present another resolution.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 189 (H. Rept. 645).

Resolved, That the Clerk of the House be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to Foster Zeigler, clerk to William G. Brown, jr., late a Representative from the State of West Virginia, at the time of his death, March 9, 1916, the sum of \$125, being an amount equal to one month's salary of a clerk of a Member of the House.

Mr. LLOYD. Mr. Speaker, this is the usual resolution in such cases.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

ADJOURNMENT.

Mr. GARRETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 15 minutes p. m.) the House adjourned, pursuant to the order previously made, until to-morrow, Saturday, May 6, 1916, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the chairman of the Federal Trade Commission, transmitting brief summary of facts and recommendations embodied in the detailed report of the Federal Trade Commission's investigation into trade conditions in and with foreign countries, where associations, combinations, or other conditions may affect the foreign trade of the United States (S. Doc. No. 426), was taken from the Speaker's table, referred to the Committee on the Judiciary, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. DILLON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 14534) permitting the Missouri River Transportation Co. to construct, maintain, and operate a bridge across the Missouri River in the State of Montana, reported the same with amendment, accompanied by a report (No. 637), which said bill and report were referred to the House Calendar.

Mr. OGLESBY, from the Committee on Patents, to which was referred the bill (H. R. 13981) to amend the copyright law, reported the same with amendment, accompanied by a report (No. 640), which said bill and report were referred to the House Calendar.

Mr. CULLOP, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 15006) to authorize the Board of Commissioners of Lake County, Ind., to construct a bridge across the Grand Calumet River, in the State of Indiana, reported the same with amendment, accompanied by a report (No. 638), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 15007) to authorize the Board of Commissioners of Lake County, Ind., to construct a bridge across the Grand Calumet River, in the State of Indiana, reported the same with amendment, accompanied by a report (No. 639), which said bill and report were referred to the House Calendar.

Mr. GRAHAM, from the Committee on the Judiciary, to which was referred the bill (H. R. 6450) to amend section 260 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, reported the same with amendment, accompanied by a report (No. 648), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SLAYDEN, from the Committee on the Library, to which was referred the bill (H. R. 15313) to provide for the removal of the Botanic Garden to Rock Creek Park, and for its transfer to the control of the Department of Agriculture, reported the same with amendment, accompanied by a report (No. 641), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MAYS, from the Committee on the Public Lands, to which was referred the bill (S. 43) in relation to the location, entry, and patenting of lands within the former Uncompahgre Indian Reservation, in the State of Utah, containing gilsonite or other like substances, and for other purposes, reported the same with amendment, accompanied by a report (No. 642), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GLASS, from the Committee on Banking and Currency, to which was referred the bill (S. 2986) to provide capital for agricultural development, to create a standard form of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to provide for the investment of postal-savings deposits, to create Government depositaries and financial agents for the United States, and for other purposes, reported the same with amendment, accompanied by a report (No. 643), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 15331) granting an increase of pension to Margaret Westcott, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and a memorial were introduced and severally referred as follows:

By Mr. TAVENNER: A bill (H. R. 15385) to authorize the Director of the Bureau of the Census under certain conditions to prepare and distribute blank ballots, and to receive and count marked ballots and report to Congress the result of an advisory vote; to the Committee on the Census.

By Mr. HULBERT: A bill (H. R. 15386) to appropriate \$300,000 for the improvement of New York Harbor, N. Y., with a view to securing additional width in Bay Ridge and Red Hook Channels; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 15387) to appropriate \$700,000 for the improvement of New York Harbor, N. Y., with a view to securing a suitable depth of channel to the navy yard; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 15388) to appropriate \$30,000 for the improvement of New York Harbor, N. Y., with a view to the removal of Craven Shoal; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 15389) to appropriate \$250,000 for the improvement of New York Harbor, New York Upper Bay, with a view to improving channel opposite anchorage grounds; to the Committee on Rivers and Harbors.

By Mr. GALLIVAN (by request): A bill (H. R. 15390) to regulate the thickness of walls in buildings in the District of Columbia; to the Committee on the District of Columbia.

By Mr. FERRIS: A bill (H. R. 15391) to punish persons who make false representations to settlers and others pertaining to the public lands of the United States; to the Committee on the Public Lands.

By Mr. COSTELLO: A bill (H. R. 15392) providing for the creation and administration of a Government fund for the insurance of compensation for injuries to civil employees of the Government of the United States; to the Committee on Reform in the Civil Service.

Also, a bill (H. R. 15393) to provide for the administration of the civil employees' compensation act of 1916 by creating the Bureau of Civil Employees' Compensation of the Department of Labor; providing for the establishment of a civil employees' compensation board to have charge of such bureau; authorizing the division of the country into civil employees' compensation districts and the appointment of civil employees' compensation referees; defining the powers and duties of the Secretary of Labor, the Bureau of Civil Employees' Compensation, the civil employees' compensation board, the civil employees' compensation referees, and the inspectors of the Department of Labor in enforcing the said act; and fixing the salaries of the members of the civil employees' compensation board, the civil employees' compensation referees, and certain of their employees and assistants; to the Committee on Reform in the Civil Service.

Also, a bill (H. R. 15394) defining the liability of the Government of the United States to pay damages for injuries received by an employee in the course of employment; establishing a schedule of compensation; and providing procedure for the determination of liability and compensation thereunder; to the Committee on Reform in the Civil Service.

By Mr. SMITH of New York: A bill (H. R. 15395) for the employment of an attorney for the Indians in the State of New York; to the Committee on Indian Affairs.

By Mr. HILL: A bill (H. R. 15396) providing for investment of deposits in savings bank departments of national banks; to the Committee on Banking and Currency.

By Mr. STOUT: A bill (H. R. 15397) to amend section 11 of the act of May 30, 1908 (35 Stat. L., p. 558); to the Committee on Indian Affairs.

By Mr. MATTHEWS: A bill (H. R. 15398) authorizing the Secretary of War to donate condemned cannon and cannon balls to the village of Antwerp, Ohio; to the Committee on Military Affairs.

By Mr. ADAMSON: A bill (H. R. 15399) to amend an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909; to the Committee on Interstate and Foreign Commerce.

By Mr. HAYES: A bill (H. R. 15400) authorizing the Secretary of Commerce to lease certain property; to the Committee on the Public Lands.

By Mr. KITCHIN: Resolution (H. Res. 225) providing for consideration of the bill (S. 2986); to the Committee on Rules.

By Mr. DYER: Resolution (H. Res. 226) authorizing and instructing the Committee on the Judiciary to make an investigation relative to the rise in the price of horseshoes; to the Committee on Rules.

By Mr. EMERSON: Joint resolution (H. J. Res. 219) against removal of United States forces from Mexico; to the Committee on Foreign Affairs.

By Mr. COOPER of Wisconsin: Memorial of the Legislature of the State of Wisconsin, to provide separate and comprehensive plan for the prevention of floods in the Mississippi Valley; to the Committee on Flood Control.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. CAMPBELL: A bill (H. R. 15401) granting a pension to Lou Shoat; to the Committee on Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 15402) granting an increase of pension to Isaac L. Ferris; to the Committee on Invalid Pensions.

By Mr. COX: A bill (H. R. 15403) granting a pension to Azupah J. Batman, helpless and dependent child of Andrew J. Batman; to the Committee on Invalid Pensions.

By Mr. CRAGO: A bill (H. R. 15404) granting a pension to Frank J. Mitchell; to the Committee on Pensions.

By Mr. DOOLITTLE: A bill (H. R. 15405) granting an increase of pension to Elbridge Diltz; to the Committee on Invalid Pensions.

By Mr. EDWARDS: A bill (H. R. 15406) to permanently renew patent No. 630352; to the Committee on Patents.

By Mr. FESS: A bill (H. R. 15407) to pay Charles L. Gallaher the sum of \$215; to the Committee on War Claims.

By Mr. HAMLIN: A bill (H. R. 15408) granting an increase of pension to John E. Opdyke; to the Committee on Invalid Pensions.

By Mr. HELGESEN (by request): A bill (H. R. 15409) granting an increase of pension to Charles F. Walter; to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 15410) granting an increase of pension to Catharine A. Mell; to the Committee on Invalid Pensions.

By Mr. HILLIARD: A bill (H. R. 15411) for the relief of James W. Fickle; to the Committee on Claims.

By Mr. HUDDLESTON: A bill (H. R. 15412) granting a pension to John T. Densmore; to the Committee on Pensions.

Also, a bill (H. R. 15413) granting a pension to Samuel A. Holt; to the Committee on Pensions.

By Mr. HULL of Iowa: A bill (H. R. 15414) granting an increase of pension to Henry D. Sumner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15415) granting an increase of pension to William H. Mix; to the Committee on Invalid Pensions.

By Mr. LAFFAN: A bill (H. R. 15416) granting an increase of pension to Samuel Platts; to the Committee on Invalid Pensions.

By Mr. LITTLEPAGE: A bill (H. R. 15417) granting an increase of pension to Andrew J. Escue; to the Committee on Invalid Pensions.

By Mr. McDERMOTT: A bill (H. R. 15418) granting a pension to Mary Butler; to the Committee on Invalid Pensions.

By Mr. MADDEN: A bill (H. R. 15419) granting an increase of pension to Mathew Hewlett; to the Committee on Invalid Pensions.

By Mr. RAKER: A bill (H. R. 15420) granting a pension to Margaret L. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15421) granting an increase of pension to Edward S. Atkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15422) granting an increase of pension to Louis F. Ursebach; to the Committee on Pensions.

By Mr. RAMSEYER: A bill (H. R. 15423) granting an increase of pension to Jefferson R. McKalg; to the Committee on Invalid Pensions.

By Mr. REILLY: A bill (H. R. 15424) granting an increase of pension to James Dunn; to the Committee on Invalid Pensions.

By Mr. ROWE: A bill (H. R. 15425) granting an increase of pension to Sophia J. Bartlett; to the Committee on Invalid Pensions.

By Mr. SHACKLEFORD: A bill (H. R. 15426) granting an increase of pension to Patrick Mahoney; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 15427) granting a pension to Henrietta Schmidt; to the Committee on Invalid Pensions.

By Mr. STINESS: A bill (H. R. 15428) granting an increase of pension to Angie O. Allen; to the Committee on Invalid Pensions.

By Mr. SWEET: A bill (H. R. 15429) granting an increase of pension to Elliott F. Wise; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15430) granting a pension to Ephraim James Hopkins; to the Committee on Invalid Pensions.

By Mr. TAGGART: A bill (H. R. 15431) for the relief of the heirs at law of the late Duncan H. Campbell; to the Committee on Patents.

By Mr. WOOD of Indiana: A bill (H. R. 15432) to correct the military record of William B. Young; to the Committee on Military Affairs.

By Mr. DILL: A bill (H. R. 15433) granting an increase of pension to Mrs. Amanda McHenry, wife of John N. McHenry; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BARCHFELD: Petition of 138 citizens of Pittsburgh, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BURKE: Petition of E. J. Seifert and 21 other citizens of Watertown, Wis., asking for the passage of House bill 8665, to prohibit the stop watch or other time study and the premium or bonus system of payment in Government workshops; to the Committee on Labor.

Also, petitions of citizens of Rolling Prairie, Dodge County; 82 citizens of Barton, Washington County; members of Evangelical Lutheran St. Peter's Church, of Lebanon; members of Evangelical Lutheran St. Stephen's Church, of Concord, Jefferson County, numbering 470 souls; and Immanuel Lutheran

Church, of Sheboygan, numbering 1,100 souls, all in the State of Wisconsin, protesting against war with Germany; to the Committee on Foreign Affairs.

By Mr. CALDWELL: Petition of sundry citizens of New York City, relative to preparedness; to the Committee on Military Affairs.

Also, memorial of Jamaica Bay Improvement Association, in re river and harbor legislation; to the Committee on Rivers and Harbors.

By Mr. COOPER of Wisconsin: Petition of residents of Milton Junction, Wis., protesting against enactment of House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

Also, petition of members of American Federation of Labor at Beloit, Wis., urging the enactment of House bill 8665; to the Committee on Labor.

Also, petition of residents of Whitewater, Wis., protesting against enactment of House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

Also, petition of residents of Milton Junction, Wis., protesting against enactment of House bill 652; to the Committee on the District of Columbia.

Also, memorial of annual Wisconsin Conference of the Evangelical Association, urging passage of proposed prohibition amendment to the Constitution; to the Committee on the Judiciary.

By Mr. DALE of New York: Petition of men and women voters of Reno and Carson City, Nev., favoring report on suffrage amendment; to the Committee on the Judiciary.

By Mr. DECKER: Petition of business men of the State of Missouri, favoring tax on mail-order houses; to the Committee on Ways and Means.

By Mr. DILLON: Petition of sundry citizens of Freeman, S. Dak., against war with Germany; to the Committee on Foreign Affairs.

Also, memorial of Black Hills Augustoria Irrigation Association, urging action on the proposed Augustoria irrigation project, in Custer, Fall River County, S. Dak.; to the Committee on the Public Lands.

Also, petition of sundry citizens of South Dakota, in re foreign relations; to the Committee on Foreign Affairs.

Also, memorial of Southwestern Evangelical Lutheran Church, of Beaver Valley, in re foreign relations; to the Committee on Foreign Affairs.

By Mr. FOCHT: Evidence in support of House bill 10797, for the relief of Jacob F. Schild; to the Committee on Military Affairs.

Also, evidence in support of House bill 10338, for the relief of William S. Nail; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 6583, for the relief of Henry H. Schrawder; to the Committee on Invalid Pensions.

By Mr. FULLER: Petition of American Hardware Manufacturers' Association relative to prevention of floods of the Mississippi River; to the Committee on Rivers and Harbors.

Also petition of the Chamber of Commerce of Montgomery, Ala., favoring the Shields general dam bill; to the Committee on Rivers and Harbors.

By Mr. GALLIVAN: Petition of sundry citizens of the United States in re shipment of Red Cross supplies; to the Committee on Foreign Affairs.

Also, memorial of Massachusetts State Board of Trade against Clarke amendment to the Philippine bill; to the Committee on Insular Affairs.

By Mr. GARNER: Petitions of sundry citizens of Texas, opposing break in diplomatic relations with Germany; to the Committee on Foreign Affairs.

By Mr. GRAY of Indiana: Petition of Samuel J. Donley and 50 other citizens of Shelbyville, Ind., protesting against the enactment of House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

By Mr. HAMILTON of New York: Petition of sundry citizens of Jamestown, N. Y., against passage of bills for Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

By Mr. HILL: Petitions of Rippowam Lodge, No. 24, Independent Order of Odd Fellows, of Stamford, Conn., and Local Union No. 193, Brotherhood of Painters, Decorators, and Paper Hangers of America, favoring House bill 6915 for retirement of aged employees of the Postal Service; to the Committee on the Post Office and Post Roads.

By Mr. HILLIARD: Petitions of Thomas S. Walsh, A. P. Lane, and 49 others of Denver, Colo., against the Taylor system in Government shops; to the Committee on Labor.

By Mr. LOUD: Petition of Trinity Evangelical Lutheran Church, of Merritt, Bay County, Mich., against war with Germany; to the Committee on Foreign Affairs.

By Mr. McCracken: Petition of sundry citizens of Idaho, favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of members of the Rigby (Idaho) Study Circle, favoring bill providing for the creation of the Sawtooth National Park; to the Committee on the Public Lands.

By Mr. McDERMOTT: Memorial of the Traders' Live Stock Exchange, of Chicago, Ill., favoring the passage of the Lobeck classification bill; to the Committee on Agriculture.

By Mr. MADDEN: Petition of sundry citizens of Illinois, opposing passage of House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

By Mr. MOTT: Memorial of New York Milk Committee, against bills relative to prohibiting officials of Public Health Service in medical organizations; to the Committee on Agriculture.

Also, memorial of Board of Aldermen of New York, favoring preparedness; to the Committee on Military Affairs.

By Mr. O'SHAUNESSY: Petition of Joseph J. Landall, of Peace Dale, R. I., favoring the Smith-Hughes bill; to the Committee on Education.

Also, memorial of Chamber of Commerce of Milwaukee, Wis., and Akron Chamber of Commerce, of Akron, Ohio, favoring the Pomerene bill-of-lading bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Cranston, R. I., favoring peace with Germany; to the Committee on Foreign Affairs.

Also, petition of N. L. Berry & Co., of Providence, R. I., favoring the Stevens-Ashurst bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of A. S. Ogassian, of Providence, R. I., and Peter S. Kaloostian, of Providence, R. I., favoring Senate resolution providing for Armenian relief day; to the Committee on the Judiciary.

Also, memorial of New England Southern Conference of the Methodist Church, on temperance; to the Committee on the Judiciary.

Also, memorial of Indianapolis Board of Trade, favoring the Pomerene bill-of-lading bill; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Electrotypes Molders and Finishers' Union, No. 17, of Washington, favoring the Barnhart bill; to the Committee on Printing.

By Mr. ROWE: Memorial of American Manufacturers' Association, in re flood control; to the Committee on Flood Control.

Also, memorial of Cotton Goods Export Association of New York, favoring the United States retaining the Philippines; to the Committee on Insular Affairs.

Also, memorial of Schlobohm & Co., of Brooklyn, N. Y., favoring the Stevens bill; to the Committee on Interstate and Foreign Commerce.

Also, memorial of District Council of Greater New York, in re labor conditions in Canal Zone; to the Committee on Insular Affairs.

Also, memorial of Kings County Retirement Association, favoring the Hamill pension bill; to the Committee on Pensions.

By Mr. SMITH of Michigan: Additional papers in the pension case of Lydia M. McGowan, House bill 15086; to the Committee on Invalid Pensions.

Also, petition of William S. Forbes and members of Orcutt Camp, No. 10, Sons of Veterans, United States of America, favoring adequate preparedness for defense of our country; to the Committee on Military Affairs.

By Mr. STEPHENS of California: Petition signed by J. N. Russell and 20 others, of Los Angeles, Cal., protesting against House bill 13048, for juvenile court in the District of Columbia; to the Committee on the District of Columbia.

Also, resolutions of Chamber of Commerce of San Francisco, Cal., and Chamber of Commerce of Los Angeles, Cal., favoring system of wagon roads in Alaska; to the Committee on Roads.

Also, resolutions of California Metal Producers' Association, San Francisco, Cal., favoring revision of the mining laws; to the Committee on Mines and Mining.

Also, petition signed by M. A. Remick and 30 other citizens of Los Angeles, Cal., favoring freedom of speech and of the press; to the Committee on the Post Office and Post Roads.

Also, communication from Daughters of the American Revolution, Hollywood, Cal., favoring defense and protection of the Pacific coast; to the Committee on Military Affairs.

Also, communications from General Contractors' Association, San Francisco, Cal., and Realty Board of Los Angeles, Cal., protesting against the building of power plant on the Potomac near the Mall; to the Committee on the District of Columbia.

Also, communication from Chamber of Commerce of Pomona, Cal., indorsing tariff commission bill (H. R. 4726); to the Committee on Ways and Means.

Also, communication from Chamber of Commerce of Sacramento, Cal., favoring 1-cent drop-letter postage; to the Committee on the Post Office and Post Roads.

Also, communication from Chamber of Commerce of Coalinga, Cal., protesting against revenue stamps on checks; to the Committee on Ways and Means.

Also, telegram from Judge M. W. O'Donnell and Capt. P. C. Mulqueeney, protesting against the violating of principles of international law, humanity, and civilization by Great Britain of the Irish prisoners of war; to the Committee on Foreign Relations.

Also, petition signed by K. F. McBride and 85 other citizens of Los Angeles, Cal., protesting against war with Germany; to the Committee on Foreign Relations.

By Mr. TEMPLE: Petition of membership council of the Washington Board of Trade, indorsing the Pomerene uniform bill of lading measure; to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany House bill 15345, granting an increase of pension to Eli Hovis; to the Committee on Invalid Pensions.

By Mr. VAN DYKE: Petition of Minnesota State Sunday School convention, against appropriation for sectarian purposes; to the Committee on Indian Affairs.

SENATE.

SATURDAY, May 6, 1916.

(Legislative day of Friday, May 5, 1916.)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

ADDRESS BY EX-SENATOR JOSEPH W. BAILEY (S. DOC. NO. 428).

Mr. SUTHERLAND. Mr. President, at the last meeting of the American Bar Association, held at Salt Lake City, Hon. Joseph W. Bailey, a former Member of this body, delivered an address on the subject of the American judiciary. It is a scholarly and timely contribution to that subject, and I ask unanimous consent that it may be printed as a Senate document.

The VICE PRESIDENT. Without objection, it is so ordered.

RIVER AND HARBOR APPROPRIATIONS.

Mr. CLARKE of Arkansas. I ask unanimous consent to present a report from the Committee on Commerce on the river and harbor appropriation bill.

The VICE PRESIDENT. Without objection, the report will be received.

Mr. CLARKE of Arkansas. From the Committee on Commerce I report back favorably with amendments the bill (H. R. 12193) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and I submit a report (No. 420) to accompany the bill. I hope to have the permission of the Senate to call up the bill for consideration on Tuesday next.

The VICE PRESIDENT. The bill will be placed on the calendar.

ARTICLES BY DR. ARTHUR MACDONALD.

Mr. GRONNA. I have here some articles written by Dr. Arthur MacDonald on War and Humanity, giving general attitude of many American citizens. I ask that it be printed as a Senate document.

Mr. SMOOT. I ask that it may go to the Committee on Printing.

Mr. GRONNA. I will say that I understand it will cost less than the \$500 limit to print this matter.

Mr. SMOOT. I think it should go to the Committee on Printing.

Mr. GRONNA. Very well; let it go to that committee.

The VICE PRESIDENT. The matter will be referred to the Committee on Printing.

THE FOREIGN TRADE (S. DOC. NO. 426).

Mr. BANKHEAD. I ask for the regular order.

Mr. SIMMONS. Will the Senator from Alabama permit me a moment to make a request?

Mr. BANKHEAD. I yield to the Senator from North Carolina.

Mr. SIMMONS. On May 3 the Vice President laid before the Senate a communication from the chairman of the Federal Trade Commission, transmitting, pursuant to law, a summary of the facts and recommendations embodied in the detailed report of the commission's investigation into trade conditions in and with foreign countries where associations, combinations, or